IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6264 of 2019

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Mohan Choudhary S/o Late Bhola Choudhary Resident of Gudari Bazar, P.S. Nagar Hajipur, District- Vaishali.

... ... Petitioner

Versus

1. The State of Bihar Through Principal Secretary Urban Development Department, Bihar, Patna.
2. The Executive Officer Nagar Parishad Hajipur, Vaishali.
3. The Chairman Nagar Parishad Hajipur Vaishali.
4. Tax Collector Nagar Parishad Hajipur Vaishali.

... ... Respondents

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate
For the Respondent/s : Mr.Yogendra Prasad Sinha (AAG7)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 22-11-2019 It is the grievance of the petitioner that despite there being an order as contained in Annexure '3' to the writ application vide Memo No. 1024 dated 25.09.2000, the Hajipur Municipality is indulged in collecting taxes from the purchasers of the agricultural produce.

Learned counsel submits that in this regard the petitioner has filed a representation as contained in Annexure '5' to the writ application on 12.02.2019, but the Special Officer/Executive Officer, Hajipur Municipality has not paid heed to the representation of he petitioner and the authorities are indulged in unauthorizedly collecting the taxes from the purchasers of the agricultural produce.

Learned counsel for the State is present and submits that the matter pertains to Hajipur Municipality, therefore, an appropriate direction issued to the Executive Officer of the Municipality.

In the given facts and circumstances of the case, the Special Officer/Executive Officer, Hajipur Municipality, Vaishali is directed to look into the grievance of the petitioner as contained in Annexure '5' to the writ application and by taking note of Annexure '3' to the writ application if it is found that no tax is to be recovered from the purchasers of the agricultural produce, the Executive Officer/Special Officer shall take immediate steps to restrain unauthorized and illegal realization of taxes from the purchasers. A decision on the representation of the petitioner must be taken within a period of 60 days from the date of receipt/production of a copy of this order.

The Writ Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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