

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3345 of 2016

Arising out of

Civil Writ Jurisdiction Case No.17180 of 2015

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Yugal Prasad, Son of Late Moti Singh, Resident of Village- Nichlikila,
Garhpar, Biharsharif, P.O & P.S.- Biharsharif, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sri Chaitanya Prasad, Principal Secretary, Urban Development and
Housing Department, Government of Bihar, Patna.
3. Sri Kaushal Kumar, Municipal Commissioner, Biharsharif Municipal
Corporation, Biharsharif, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Advocate
For the State	:	Mr. Sushil Kumar Singh, AC to AAG 10
For the Corporation	:	Mr. Gyan Prakash Ojha, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 29-08-2019

Heard Learned counsel for the petitioner; learned AC to
AAG 10 for the State and learned counsel for the Biharsharif
Municipal Corporation (hereinafter referred to as the
'Corporation').

2. It appears that on 26.03.2018 in view of the stand
taken by the Corporation, the petitioner was directed to appear
before the Commissioner of the Corporation on 02.04.2018 along
with all the relevant documents so that necessary order could be
passed by the authorities.



3. The stand of the Corporation is that the petitioner did not appear.

4. On the other hand, learned counsel for the petitioner submitted that he had appeared on the said date and also given various papers.

5. There being nothing on record to show that the petitioner had appeared, even today after almost one and a half years, the Court is unable to go into the veracity of the claim of the petitioner.

6. In view thereof, the Court finds that there has been no deliberate violation of the order dated 19.05.2016 passed in CWJC No. 17180 of 2015.

7. Accordingly, the application stands disposed off.

8. However, if the petitioner appears before the Commissioner of the Corporation along with whatever documents that may be in his possession, necessary orders shall be passed, in accordance with law and payments made to the petitioner without delay.

(Ahsanuddin Amanullah, J)

Anjani/-

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