

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6201 of 2021

1. Ajay Prasad @ Ajay Kumar Son of Mahaveer Sah @ Mahaveer Prasad, resident of Village - Lalgarh, P.S.- Bettiah (Muffasil), District - West Champaran.
2. Radhe Shyam Prasad Gupta @ Radhe Shyam Prasad, Son of Bindeshwari Prasad Gupta, resident of Ladho Ram Gola, Ward No. 25, P.S.- Bettiah Town, District - West Champaran.
3. Parmeshwar Prasad, Son of Late Ramchandra Prasad, resident of Ward No. 18, P.S. Bettiah Town, District - West Champaran.
4. Shiv Narayan Sah @ Shivrinarayan Prasad, Son of Jhapas Sah, resident of Village - Lalgarh, P.S. Bettiah (Muffasil), District - West Champaran.
5. Shailendra Nath Tiwari, Son of Ravindra Nath Tiwari, resident of I.T.I. Colony, P.S.- Bettiah (Muffasil), District - West Champaran.
6. Yamuna Sah @ Yamuna Prasad, Son of Sukal Sah, resident of Village - Singadi, P.S. - Bagaha, District - West Champaran.
7. Vijay Kumar Jaiswal, Son of Ram Narayan Prasad, resident of Village - Lalgarh, P.S. - Bettiah (Muffasil), District - West Champaran.
8. Banhu Sah, Son of Bangali Sah, resident of Shahi Tola, Bhtaha Nizamat, P.S. - Bairiya, District - West Champaran.
9. Ram Narayan Prasad, Son of Late Jhapas Sah, resident of Village - Lalgarh, P.S. Bettiah (Muffasil), District - West Champaran.
10. Bala Kumar @ Bala Sah, Son of Bannu Sah, resident of Shahi Tola, Bhitaha, P.S. Bairiya, District - West Champaran.
11. Prakash Kumar @ Prakash Kumar Jaiswal, Son of Lal Bahadur Sah, resident of Village - Lalgarh, P.S. - Bettiah (Muffasil), District - West Champaran.
12. Murari Prasad, Son of Brahmdev Prasad, resident of Kamalnath Nagar, P.S. Bettiah Town, District - West Champaran.
13. Anup Kumar, son of Gaurishankar Sah, resident of Rupdiah, P.S. Bettiah (Muffasil), District - West Champaran.
14. Rambabu Sah, Son of Late Mohan Sah, resident of Village - Rupdiah, P.S. Bettiah (Muffasil), District - West Champaran.
15. Narayan Prasad, Son of Bideshi Prasad, resident of Pandey Tola, P.S. Pahadhpur, District - West Champaran.
16. Dhruv Sah, Son of Late Mohan Sah, resident of Village - Rupdiah, P.S.- Bettiah (Muffasil), District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Bettiah, West Champaran.
3. The Sub-Divisional Officer-cum-Special Officer, Agriculture Produce Market Committee (D), Bettia.



4. The District Agriculture Produce Market Committee (D), Bettiah through its Chairman.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-03-2021 The petitioners have approached this Court for quashing of the order contained in Annexure-4 series.

The only contention of the petitioners is that the order contained in Annexure-4 series was passed without opportunity of hearing to the petitioners and the respondents have directed the petitioners to vacate their shops allotted by the erstwhile Agriculture Produce Market Committee, Bettiah situated at Bettiah-Muzaffarpur Highway.

Without going into the details of the pleadings, the writ petition is disposed of with the direction to the SDO to provide opportunity of hearing to the petitioners and after hearing the petitioners, the SDO shall pass appropriate reasoned order within a maximum period of one month from the date of receipt/production of a copy of this order.

Until final decision afresh is passed by the SDO, the petitioners shall not be disturbed.

In the event the fresh order passed by the SDO goes



against the petitioners, liberty shall be available to the petitioners to challenge the same in accordance with law.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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