

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10876 of 2020

=====

Shankar Rai Son of Raj Narayan Rai, Resident of Village - Belsand, P.S.
Belsand, District - Sitamarhi - 843316.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Sitamarhi.
3. The Deputy Development Commissioner, Sitamarhi.
4. The Sub-Divisional Officer, Sitamarhi.
5. The Chairman, Nagar Panchayat, Belsand, District - Sitamarhi.
6. The Executive Officer, Nagar Panchayat, Belsand, District - Sitamarhi.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Respondent/s : Mr. Yogendra Pd. Sinha, AAG-7

=====

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 22-06-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

- (i) For issuance of writ in the nature of mandamus commanding and directing the Respondents authority to hold an inquiry with regard to illegal collection of parking tax under the jurisdiction of Nagar Panchayat, Belsand without any decision taken by the Empowered Standing Committee of Nagar Panchayat, Belsand or in absence of any decision taken by the General Body Meeting.
- (ii) For further direction to the Respondents



authority to produce the derision of the General Body Meeting or decision of Empowered Standing Committee if any and also be directed to produce the details of the collection made from last three years and if the court feel proper direct the Respondents authority to hold an enquiry and take appropriate decision against the person concern who are involved in illegal collection of parking tax under the jurisdiction of Nagar Panchayat, Belsand.

(iii) And for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the Executive Officer, Nagar Panchayat, Belsand, District Sitamarhi to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the Executive Officer, Nagar Panchayat, Belsand, District Sitamarhi shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.



As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;



(g) We have not expressed any opinion on merits.

All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

