

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4463 of 2021

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1. Ram Krishna Yadav, Son of Rajendra Prasad Yadav Resident of Village- Siswa Barhi, Ward No. 7, P.S.- Phulparas, District- Madhubani.
 2. Nand Kishor Dubey, Son of Braj Kishor Dubey Resident of Village- Phulparas, Ward No. 4, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Secretary Panchayat Raj, Government of Bihar, Patna.
3. The District Magistrate Madhubani.
4. The Deputy Development Commissioner- cum- Chief Executive Officer District Engineer, Office Zila Parishad, Madhubani.
5. The Sub- Divisional Officer, Phulparas, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Respondent/s : Mr.Ajay, GA-5

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 21-01-2022 The matter has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

2. There are two petitioners in this application. They are seeking a direction to the Zila Parishad, Madhubani to reduce the rate of rent of the shops allotted to them and others, in a market complex. Petitioner No. 1 claims to be the Chairman of the Shopkeepers' Union of the said market complex, Phulparas and petitioner No. 2, Member of the said shopkeepers' union. There are



altogether 18 shopkeepers, it is asserted.

3. On perusal of the documents on record including Annexure-6 to the writ petition it transpires that the monthly rent of the shops were earlier enhanced to Rs. 15 per sq. ft. which was subsequently reduced to Rs. 10/- on the representations made by the shopkeepers. The petitioners, however, want the same to be reduced further, below Rs. 10/- per sq. ft., though there is no assertion as to the rate to which the rental should be brought down. There is no material on record to suggest why the rate should be reduced below Rs. 10 per sq. ft.

4. Learned counsel appearing on behalf of the petitioner has submitted that the area where the market complex is situate, falls under a Gram Panchayat and the same has wrongly been treated to be under a Nagar Panchayat.

5. On perusal of the pleadings on record, we do not find any reason to interfere with the fixation of rate of rent as this Court does not have any judicially determinable parameter to consider the petitioner's grievance on the facts pleaded and available on record.

6. We do not find any merit in this writ application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

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