

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1406 of 2022

1. Rekha Devi, Wife of Ranjit Kumar, Resident of Village-Chandaurya, P.O. Meyar, P.S. Chhabilapur, District-Nalanda at Biharsharif, Mukhiya of Gram Panchayat Raj, Pathraura, Blok-Rajgir, District-Nalanda at Biharsharif.
2. Tarun Kumar, son of Yamuna Prasad, Resident of Village-Nonhi, P.O. Nahub, P.S. Rajgir, District-Nalanda at Biharsharif.
3. Kameshwar Prasad, son of Late Raghni Mahto, Resident of Village-Barhari, P.O. Pathraura, P.S. Chhabilapur, District-Nalanda at Biharsharif.
4. Ashok Rajbanshi, son of Late Prabhu Rajbanshi, Resident of Village-Udaypur, P.O. Rajgir, P.S. Chhabilapur, District-Nalanda at Biharsharif.
5. Ranjeet Prasad, son of Deogan Prasad @ Teganji, Resident of Village-Tilaiya, P.O. Pathraura, P.S. Chhabilapur, District-Nalanda at Biharsharif.
6. Rampravesh Prasad, son of Late Ramsharan Prasad, Resident of Village-Tilaiya, P.O. Pathraura, P.S. Chhabilapur, District-Nalanda at Biharsharif.
7. Rakesh Raushan, son of Late Raghunandan Prasad, Resident of Village-Tilaiya, P.O. Pathraura, P.S. Chhabilapur, District-Nalanda at Biharsharif.
8. Biru Rajwar, son of Vijay Rajbanshi, Resident of Village-Udaypur, P.O. Rajgir, P.S. Chhabilapur, District-Nalanda at Biharsharif.
9. Gopal Prasad, son of Late Ragho Prasad, Resident of Village-Nonhi, P.O. Nahub, P.S. Rajgir, District-Nalanda at Biharsharif.
10. Mithilesh Kumar, son of Late Siyasharan Prasad, resident of Village-Duhai Sahai, P.O. Nahub, P.S. Chhabilapur, District-Nalanda at Biharsharif.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Director, Municipal Administration, Urban Development and Housing Department, Government of Bihar, Patna.
4. The Under Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
5. The Divisional Commissioner, Patna Division, Patna.
6. The District Magistrate, Nalanda at Biharsharif, District Nalanda at Biharsharif.
7. The Deputy Development Commissioner, Nalanda at Biharsharif, District Nalanda at Biharsharif.
8. The Sub-Divisional Officer, Rajgir, District Nalanda at Biharsharif.
9. The Circle Officer, Rajgir, District Nalanda at Biharsharif.
10. Nagar Parishad, Rajgir, P.O. and P.S. Rajgir, District-Nalanda at Biharsharif through the Executive Officer.



... .. Respondent/s

Appearance :

For the Petitioners : Mr. S.B.K. Manglam, Advocate
Mr.Awnish Kumar, Advocate
For the State : Mr.Subhash Pd. Singh, G.A.-3

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 28-02-2022 The petitioners have put to challenge a notification dated 28.12.2021, issued under Section 4 of the Bihar Municipal Act, 2007 (in short “the Act”) by the Urban Development and Housing Department, Government of Bihar declaring its intention to include certain areas of Gram Panchayat Raj, Pilkhi, Meyar (complete), Nai Pokhar, Goraul, Pathraura and Nahub (part) within the area of Rajgir Nagar Parishad.

The petitioners are said to have filed their objection under Section 5 of the Act. Final notification under Section 6 of the Act has not been issued so far, as stated by Mr. Manglam, learned counsel appearing on behalf of the petitioners.

In our view, this application is premature for the reason that final notification has yet not been issued by the State Government under Section 6 of the Act.

Mr. Manglam, in the aforesaid background, seeks permission to withdraw this application with a liberty to approach



this Court in the event a notification is issued under Section 6 of the Act.

This application is dismissed as withdrawn accordingly, with the liberty as sought.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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