

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1797 of 2022

1. Rajwanti Devi, aged 44 years, Female, Wife of Manoj Ray, Resident of Village- Babhanaiya, Police Station- Garkha, District- Saran, Elected Mukhiya Gram Panchayat Raj, Mahamda, Police Station- Garkha, District- Saran.
2. Maya Devi, aged 40 years, Female, Wife of Akhilesh Manjhi Resident of Village- Mubarakpur, Police Station- Garkha, District- Saran, Elected Mukhiya of Gram Panchayat Raj Farusa, Police Station- Garkha, District- Saran.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
4. The Divisional Commissioner, Saran Division, Chapra.
5. The District Magistrate, Saran.
6. The District Panchayat Raj Officer, Saran.
7. The Additional Collector, Saran.
8. The Director, Account Administration and Self Employment Officer, District Rural Development Agency, Saran.
9. The District Statistical Officer, Saran.
10. The District Agriculture Officer, Saran.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Y. V.Giri, Sr. Adv. with Mr. Lakmesh Marvind, Adv.
For the Respondents	:	Mr. Kinkar Kumar SC-9 Ms. Deepika Sharma AC to SC-9

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 07-03-2022

This application, under Article 226 of the Constitution

of India, has been filed to challenge a notification dated



28-12-2021, whereby the Urban Development and Housing Department, Govt. of Bihar, has declared its intention to extend the area of Chapra Municipal Corporation by inclusion of certain *Gram Panchayats* within its area.

2. Mr. Y.V. Giri, learned senior counsel appearing on behalf of the petitioners, has submitted that till date final notification has not been issued under Sections 6 and 8 of the Bihar Municipal Act, 2007 (for brevity 'the Act'), though objections have been filed under Section 5 of the Act by the inhabitants.

3. After some argument, in the light of Division Bench decision of this Court in case of *Usha Devi and Ors. vs. The State of Bihar & Ors.* in *C.W.J.C. No.7446 of 2021*, he seeks permission to withdraw this application with a liberty to question final notification, if situation so warrants.

4. This application stands dismissed as withdrawn with the aforementioned liberty.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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