

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2005 of 2022

1. Md. Kashif, Son of Mohammad Naim Akhtar, Resident of Village - Supaul, Tola Sheikhpura, P.O. and P.S. Biraul, District- Darbhanga, presently Mukhiya of Gram Panchayat Raj, Supaul, Block - Biraul, District- Darbhanga.
2. Shabana Begum, Wife of Md. Nurul Hoda, Resident of Village - Supaul, Ward No. 10, P.O. and P.S. Biraul, District- Darbhanga, presently Panchayat Samiti Member of Block Panchayat Samiti, Biraul from Supaul East Part, District- Darbhanga.
3. Imaman Khatoon, Wife of Gulam Nabi Nadaf, Resident of Village - Mantha, Ward No. 1, P.O. and P.S. Biraul, District- Darbhanga, presently Panchayat Samiti Member of Block Panchayat Samiti, Biraul from Supaul West Part, District- Darbhanga.
4. Kamre Alam, Son of Late Rafakat Hussain, Resident of Village - Supaul, Ward No. 8, P.O. and P.S. Biraul, District- Darbhanga, presently Ward Member of Gram Panchayat Raj, Supaul, Block - Biraul, District- Darbhanga.
5. Md. Wajadullah, Son of Late Nurullah, Resident of Village - Supaul, Ward No. 15, P.O. and P.S. Biraul, District- Darbhanga, presently Ward Member of Gram Panchayat Raj, Supaul, Block- Biraul, District- Darbhanga.
6. Khursiduzama, Son of Late Wadiuzama Resident of Village - Supaul, Ward No. 10, P.O. and P.S. Biraul, District- Darbhanga.
7. Abdul Rain, Son of Late Gulam Rasool, Resident of Supaul, Ward No. 12, P.O. and P.S. Biraul, District- Darbhanga.
8. Md. Wasim Javed, Son of Navi Hussain Nadaf, Resident of Village - Supaul, Ward No. 7, P.O. and P.S. Biraul, District- Darbhanga.
9. Kamre Alam, Son of Late Abdul Hai, Resident of Village - Supaul, Ward No. 10, P.O. and P.S. Biraul, District- Darbhanga.
10. Pappu Chaudhary, Son of Nawal Kishore Chaudhary, Resident of Village - Supaul, Ward No. 13, P.O. and P.S. Biraul, District- Darbhanga.
11. Md. Shamim Ansari, Son of Hakim Ansari, Resident of Village - Supaul, Ward No. 10, P.O. and P.S. Biraul, District- Darbhanga.
12. Jafar Ansari, Son of late Jabbar Ansari, Resident of Village - Supaul, Ward No. 15, P.O. and P.S. Biraul, District- Darbhanga.
13. Md. Anis, Son of Wali Md. Ansari, Resident of Village - Supaul, Ward No. 10, P.O. and P.S. Biraul, District- Darbhanga.
14. Md. Danish Ansari, Son of Isamul Ansari, Resident of Village - Supaul, Ward No. 10, P.O. and P.S. Biraul, District- Darbhanga.
15. Aashique Ansari @ Aashique, Son of Jalil Ansari, Resident of Village - Supaul, Ward No.10, P.O. and P.S. Biraul, District- Darbhanga.

... .. 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 Deputy Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
5. The Divisional Commissioner, Darbhanga Division, Darbhanga.
6. The District Magistrate, Darbhanga, District- Darbhanga.
7. The Senior Deputy Collector, Darbhanga, District- Darbhanga.
8. The Sub- Divisional Officer, Biraul, District- Darbhanga.
9. The Block Development Officer, Biraul, District- Darbhanga.
10. The Circle Officer, Biraul, District- Darbhanga.
11. The Block Statistical Officer, Biraul, District- Darbhanga.

... .. 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 05.01.2022, 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 13 wards of Gram Panchayat Raj, Supaul i.e., Ward Nos.3 to 15 within Nagar Panchayat, Biraul.

The petitioners are said to have filed objection



under Section 5 of the Act. Final notification under Section 6 of the Act has so far not been issued, 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 assail final notification if issued under Section 6 of the Act, if the situation so warrants

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

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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