

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3651 of 2021

1. Rabindra Kumar Shah, aged about 36 years, male, Son of Shivratan Shah Resident of Village- Rampur Vrit, P.O. and P.S.- Madhwapur, District- Madhubani.
2. Santosh Kumar Nayak, aged about 32 years, male, Son of Ramlakhan Nayak Resident of Village- Madhwapur ward no. 3, P.O. and P.S.- Madhwapur, District- Madhubani.
3. Bablu Kumar, aged about 35 years, male, Son of Ramratan Purve Resident of Village- Madhwapur, P.O. and P.S.- Madhwapur, District- Madhubani.
4. Gajendra Narayan Shah, aged about 37 years, male, Son of Shivratan Shah Resident of Village- Rampur Vrit, P.O. and P.S.- Madhwapur, District- Madhubani.
5. Naresh Kumar Karn, aged about 45 years, male, Son of Anantlal Karn Resident of Village- Madhwapur ward no. 7, P.O. and P.S.- Madhwapur, District- Madhubani.
6. Tara Prasad Nayak, aged about 70 years, male, Son of Jilabi Nayak Resident of Village- Madhwapur, P.O. and P.S.- Madhwapur, District- Madhubani.
7. Jogeshwar Shah @ Yugeshwar Mahto, aged about 39 years, male, Son of Ramavtar Shah Resident of Village- Ora, P.O.- Shaharghat, P.S.- Madhwapur, District- Madhubani.
8. Rajkumar Nayak aged about 40 years, male, Son of Ramnath Nayak Resident of Village- Madhwapur, P.O. and P.S.- Madhwapur, District- Madhubani.
9. Dharamnath Nayak, aged about 49 years, male, Son of Ramlakhan Nayak Resident of Village- Madhwapur, P.O. and P.S.- Madhwapur, District- Madhubani.
10. Surendra Shah, aged about 58 years, male, Son of Late Munnilal Shah Resident of Village- Madhwapur ward no. 5, P.O. and P.S.- Madhwapur, District- Madhubani.
11. Bachchi Shah aged about 68 years, male, Son of Late Nathuni Shah Resident of Village- Madhwapur ward no. 2, P.O. and P.S.- Madhwapur, District- Madhubani.
12. Jawahar Mandal, aged about 57 years, male, Son of Late Hazari Mandal



Resident of Village- Madhwapur ward no. 3, P.O. and P.S.- Madhwapur,
District- Madhubani.

13. Ramdulari Devi, aged about 44 years, female Wife of Dharamnath Nayak
Resident of Village- Madhwapur, P.O. and P.S.- Madhwapur, District-
Madhubani.
14. Mahesh Prasad, aged about 34 years, male, Son of Bachchi Prasad Shah
Resident of Village- Madhwapur ward no. 2, P.O. and P.S.- Madhwapur,
District- Madhubani.
15. Jaymant Mishra, aged about 56 years male, Son of Sri Parmanand Mishra
Resident of Village and P.O.- Vashuki Bihari, P.S.- Madhwapur, District-
Madhubani.
16. Badri Narayan Shah, aged about 50 years, male, Son of Ramvriksh Shah
Resident of Village- Madhwapur ward no. 3, P.O. and P.S.- Madhwapur,
District- Madhubani.

... .. Petitioners

Versus

1. The State of Bihar through the Collector, Madhubani District.
2. The Collector District- Madhubani.
3. The Duputy Development Commissioner-cum- Chief Executive Officer Zila
Parishad, District- Madhubani.
4. The Chairman Zila Parishad Madhubani, District- Madhubani.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Sanjeev Kumar, Adv.
For the Respondents	:	Mr. Kameshwar Prasad Gupta GP-10
For the Zila Parishad	:	Mr. Murari Narain Chaudhary, Adv.

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

and

**HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH)**

14 11-03-2022

This matter has been taken up for hearing online
because of *COVID-19* pandemic restrictions.

2. The petitioners approached this Court by filing the



present writ application aggrieved by letter dated 22-06-2019 issued under the signature of Deputy Development Commissioner,-cum-Chief Executive Officer, Zila Parishada, *Madhubani* (Respondent No.3) whereby the rent of the shops settled in favour of the petitioners has been enhanced to Rs. 15/- per Sq. ft. from Rs. 4/- per Sq. ft.

3. A counter affidavit has been filed on behalf of the *Nagar Parishad, Madhubani*, (Respondent No.4); paragraph 3 thereof reads as under:-

“3. That the outset, it is stated that the instant writ application has virtually become infructuous, in view of the fact that the grievance of the petitioner was against an order dated 22/06/2019 (Annexure-3) whereby and whereunder the rent of their shops were exorbitantly enhanced at the rate of Rs. 15/ Sq. ft. but now the same has already been revised after coming down to Rs. 10/- per sq. ft.”

4. In the supplementary affidavit filed on behalf of the *Parishad*, it has been stated that though the prevailing rate in the locality is Rs. 30/- per Sq. ft, considering the case of the petitioners, the decision to enhance rent to Rs. 15/- per sq. ft has been revised and has been brought down to Rs. 10/- per Sq. ft.

5. Learned counsel appearing on behalf of the petitioners, upon instructions, submits that with the modification of the



enhanced rate to Rs. 10/- per Sq. ft, the grievance of the petitioners stands redressed.

6. In such view of the matter, this writ application stands disposed of.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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