

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8254 of 2021

Vinod Tiwari, son of Late Sharda Tiwari, Resident of village- Ghogharia Tola
Ghato, P.S.- Bodhgaya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
4. The Divisional Commissioner, Gaya.
5. The District Magistrate, Gaya, District- Gaya.
6. The Sub-Divisional Magistrate, Sadar, Gaya.
7. The Executive Officer, Nagar Parisad, Bodhgaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bibhuti Narayan
For the Respondent/s	:	Mr. Ashok Kumar
		Ms. Deepika Sharma

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 11-02-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

The petitioner is seeking a direction to respondent nos. 4 and 5 to dispose of his objection filed on 19.01.2021 in response to a notification issued by the Urban Development and Housing Department, Government of Bihar dated 26.12.2020 under various



provisions of Bihar Municipal Act including Section 4 of the Act.

Section 4 of the Act requires the State Government to publish by notification in official gazette and in at least two leading newspapers, its intention to constitute a municipal area to the inhabitants of the local area concerned. Section 5 of the said Act permits any inhabitant of the city, town or *nagar parisad* to submit his objection in writing to the State Government within one month from the date of its publication.

The petitioner after filing objection against the said notification has filed the present writ application seeking consideration of objection.

In our opinion, this writ application is wholly misconceived.

The learned counsel appearing on behalf of the petitioner has submitted that till date final notification has not been issued subsequent to the declaration in question for up-gradation of Nagar Panchayat, Bodhgaya to Nagar Parisad, Bodhgaya.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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