

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10617 of 2021

Shivshankar Das Son of Jagdish Das Resident of Village- Dighikala Purvi,
Ward No.7, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Old Secretariat, Patna.
2. The Principal Secretary, Urban Development and Housing Department,
Government of Bihar, Patna.
3. The Joint Secretary, Urban Development and Housing Department,
Government of Bihar, Patna.
4. District Magistrate, Vaishali at Hajipur.
5. The Executive Officer, Nagar Parishad, Hajipur, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma
For the Respondent/s : Mr.Zakir Haider, 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 Heard learned counsel for the parties.

The petitioner has challenged a notification dated 12.03.2021 issued by the Urban Development and Housing Department, Government of Bihar, whereby Village Dighikalan Khurd in the district of Vaishali has been included within the area of Hajipur Nagar Parishad.

On perusal of the pleadings on record and the grounds taken by learned counsel for the petitioner to assail the



impugned order, we are convinced that this case is squarely covered by the Division Bench decision of this Court dated 17.01.2022 rendered in CWJC No. 7446 of 2021 (*Usha Devi vs. State of Bihar & Ors.*). The second proviso to Section 3 of Bihar Municipal Act, 2007 is clear answer to the submissions advanced on behalf of the petitioner. The petitioner has not been able to make out a case that the impugned notification is hit by the second proviso to Section 3(1) of the Act.

We do not find any merit in this application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

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