

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11098 of 2021

-
1. Upendra Ram Son of Vrihaspati Ram Resident of village- Shambhuar Kaitola, Ward no. 2, P.o.- Shambhuar, P.s.- Madhubani Town Police Station, District- Madhubani, Bihar
 2. Vijay Kumar Singh Son of Surya Narayan Singh Resident of village- Shambhuar Kaitola, Ward no. 1, P.o.- Shambhuar, P.s.- Madhubani Town Police Station, District- Madhubani, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Chief Secretary, Government of Bihar, Patna
3. The Principal Secretary, Urban development and Housing Department, Government of Bihar, Patna
4. The District magistrate, Madhubani, Bihar
5. The Deputy Development Commissioner, Madhubani
6. The Additional Collector (Revenue) Madhubani, Bihar
7. The District Panchayati Raj Officer, Madhubani, Bihar
8. The District Agriculture Officer, Madhubani, Bihar
9. The District Statistics Officer, Madhubani, Bihar
10. The Block Development Officer, Madhubani, Bihar
11. The Circle Officer, Madhubani, Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate
For the Respondent/s : Mr.Subhash Pd. Singh, GA-3

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 23-03-2022 The petitioners are seeking following reliefs :-

“A. For quashing the recommendation communicated vide letter no. 157 dated 18.03.2021 issued by the



District Magistrate, Madhubani to the extent it relates to inclusion of ward Nos. 1, 2 and 3 of Shambhuar Bhitthi Panchayat in Municipal Corporation Area, Madhubani as all its consequential actions.

B. For quashing of the notification contained in memo no. 1516 dated 26.03.2021 issued by the Urban Development and Housing Department, Government of Bihar, Patna whereby Bhitthi 75/2 has been included in newly created/ upgraded Madhubani Municipal Corporation in exercise of powers under section 3(1) (a), 4, 5, 6, and 8 of the Bihar Municipal Act, 2007.”

The issues which have been raised in the present writ application to assail the impugned notification have been elaborately dealt with by the Division Bench of this Court in case of ***Usha Devi vs. The State of Bihar & Ors.*** (CWJC No. 7446 of 2021).

Mr. Shekhar Singh, learned counsel for the petitioner has not been able to point out any distinguishing feature of this case for this Court to take a different view than what has been taken in case of ***Usha Devi*** (supra).

In view of the decision rendered in case of ***Usha Devi*** (supra), we do not find any merit in this application, which is accordingly dismissed.



Learned counsel for the State has submitted that he
has not received copy of the writ petition.

Let a copy of the writ petition be served on him by
learned counsel for the petitioner by tomorrow (24.03.2022).

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

U			
---	--	--	--

