

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13496 of 2021

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1. Ranjit Kumar Rai Son of Sri Shambhu Saran Rai Resident of Village- Ray Dhurva, P.S.- Manuapul, P.O.- Bettiah Dih, District- West Champaran.
 2. Ranjan Kumar Mishra Son of Vijoy Mishra Resident of Village- Ray Dhurva tola chawni, P.O.- Bettiah dih, P.S.- Manuapul, District- West Champaran.

... .. Petitioners

Versus

1. The State of Bihar Through the Principal Secretary, Nagar Vikash and Avash bibhag Bihar Sarkar, Patna.
2. The Divisional Commissioner Tirhut Division, Muzaffarpur.
3. The District Office West Champaran at Bettiah.
4. The Executive Officer Bettiah Nagar Nigam at Bettiah.
5. The Chief Election Commissioner Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Ram Sumiran Singh
For the Respondent/s	:	Mr.Subash Prasad Singh (Ga3)
		Mr. Ghanshyam Sharma, AC to GA-3

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 29-03-2022 This writ application has been filed seeking direction to the State Government of Bihar to include Wards No. 1 to 15 of Bettiah Dih Panchayat within the area of Bettiah Nagar Nigam upon its upgradation from Bettiah Nagar Parishad in exercise of powers under Sections 3, 4 and 6 of the Bihar Municipal Act, 2007.

The petitioners assert that in the proposal sent by a committee at the district level, there was recommendation for



inclusion of the aforesaid Wards also within the area of proposed Nagar Nigam Bettiah upon its up-gradation, but in the notification under Section 4, the said Wards were excluded, without any valid reason. The fact remains that the final notification under Section 6 of the Act has been issued by the Urban Development and Housing Department, Government of Bihar, on 31.03.2021 constituting Nagar Nigam Bettiah, which does not include the aforesaid Wards.

Learned counsel for the petitioners has attempted to convince this Court that there is no rationale behind the decision of the State Government not to include the aforesaid Wards despite a recommendation made by the district level committee.

We are, however, not inclined to entertain this writ application as the petitioners have not been able to point out any legal right which stood infringed with the issuance of the notification in which the aforesaid Wards have not been included nor any material has been brought on record to demonstrate that the exclusion of the said Wards violate any statutory provision. The question as to which area is to be included within an urban body in exercise of the powers under various provisions of the Municipal Act is purely a policy matter exclusively within the domain of the State. This Court in the



absence of any material to demonstrate violation of any statutory provision is not required to interfere in such matters. The nature of relief, which the petitioners are seeking in the present writ application, cannot be gone into, for the aforesaid reasons.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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