

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 15784 of 2021

=====

Braj Mohan Prasad @ Vraj Mohan Prasad, Son of Uma Shankar Mehta,
Resident of Mohalla - Adarsh Nagar, P.S. and Town and District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Urban Department Development, Government of Bihar, Patna.
3. The Divisional Commissioner, Darbhanga.
4. The District Magistrate, Madhubani.
5. The Nagar Parishad, Madhubani through its Chairman.
6. The Executive Officer, Nagar Parishad, Madhubani.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : M/s Murari Narain Chaudhary, Vijay Kr, Advocates
For the Respondent/s : Mr Subhash Pd Singh, GA III

=====

CORAM: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH)

4 26-04-2022 Heard learned counsel for the petitioner and the respondents.

Petitioner has filed the present writ application seeking direction to the Executive Officer, Nagar Parishad, Madhubani for refund of the amount, which was deposited by the petitioner against settlement for collection of toll from the vehicles. The petitioner had earlier approached this Court by filing a writ petition giving rise to CWJC No 14315 of 2012 which was disposed of by an order dated 14.02.2013. The said



writ application was disposed of with a direction to consider the petitioner's representation and dispose it of within a period of two months. The petitioner's representation, admittedly, came to be rejected by the Executive Officer, as is evident from Annexure 1 to the writ application in 2013. The petitioner has approached this Court more than 8 years after his claim for refund was declined in 2013. From the pleadings on record, it appears that the petitioner has not even questioned the correctness of the decision of the Executive Officer.

Considering the delay and laches on the part of the petitioner and the facts and circumstances of the case, we are not inclined to entertain this writ application which is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

M.E.H./-

(Madhuresh Prasad, J)

U			
---	--	--	--

