

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2951 of 2020

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Geeta Devi @ Geeta Rani Devi, W/o Bhola Prasad Yadav, resident of Village-
Kushmaha, P.S. Baunsi, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Vikash Bhawan, New Secretariat, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Vikash Bhawan, New Secretariat, Government of Bihar, Patna.
3. The District Magistrate- cum-Collector, Banka.
4. The Deputy Development Officer- cum- Chief Executive Officer, District Board, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Balram Kapri, Advocate
For the Respondent/s : Mr.Archana Meenakshee (GP-6)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-08-2023

IA No. 1/2022

The present interlocutory petition has been preferred informing that the sole petitioner, Geeta Devi @ Geeta Rani Devi died on 04.01.2022 leaving behind her husband, Bhola Prasad Yadav, who may be substituted in this case.

Learned State counsel has no objection.

Let the original petitioner, Geeta Devi @ Geeta Rani Devi be substituted by her husband, Bhola Prasad Yadav.

Accordingly, IA No. 1/2022 stands allowed.

CWJC No. 2951 of 2020

Heard the parties.



The present writ petition is to quash the letter no. 569 dated 26.11.2014 by which the respondent no. 4, the Deputy Development Officer-Cum-Chief Executive Officer, District Board, Banka enhanced the rent of the shop the petitioner is occupying.

It is the case of the petitioner that as per the Clause-10 which is the agreement signed between the parties, any decision on enhancement of rent will be done only after meeting with the shopkeepers.

It is his contention that the said agreement signed on 24.07.2007 (Clause-10) was violated as no such meeting took place.

Learned counsel for the petitioner has clarified that he has not withheld any rent and has been diligently paying the same.

As there is no representation on behalf of the Deputy Development Officer-Cum-Chief Executive Officer, District Board, the learned State counsel is unable to confirm whether any such meeting was held or not.

In that view of the matter, instead of keeping writ petition pending, the petitioner is directed to approach the respondent no. 4, the Deputy Development Officer-Cum-Chief



Executive Officer, District Board within four weeks from today, who shall look into agreement dated 24.07.2007 (*which incorporates the Clause-10 that any enhancement has to be made only after the meeting with the shopkeeper*) and shall pass necessary order within three months from the filing of the representation on the fixation of rent.

The present writ petition stands disposed of with aforesaid averments.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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