

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13975 of 2018

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Buddhdev Purvey, Son of late Ram Narayan Purvey, Resident of Mohalla-
Maharajganj, Ward No. 13, PS and PO Madhubani Town, District Madhubani.

... .. Petitioner/s

Versus

1. The Nagar Parishad, Madhubani Through Its Executive Officer and Ors
2. The Chairman, Nagar Parishad, Madhubani.
3. The Executive Officer, Nagar Parishad, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanat Kumar Mishra
For the Respondent/s : Mr. Purushottam Jha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-04-2023 Heard learned counsel for the parties.

The learned counsel for the petitioner is aggrieved by information No. 26 dated 26.05.2018 issued by the Executive Officer, Nagar Parishad, Madhubani whereby he has been informed that the Madhubani Nagar Parishad Empowered standing committee in its meeting dated 22.05.2018 vide resolution No. 3 had taken a decision to cancel the Holding No. N/360 and N/361 on the ground that land in question has been encroached by the petitioner.

The learned counsel next submits that the petitioner is also aggrieved by Information No.68 dated 04.07.2018 issued by the Executive Officer, Nagar Parishad,



Madhubani whereby the petitioner has been issued a notice asking him to reply as to why the construction measuring 37X25 square feet made by encroaching the land pertaining to Ward No.16, Khesra No.3376 being a public land be not demolished.

The learned counsel for the petitioner submits that petitioner has already filed a reply to the notice dated 05.05.2018, which was received in the Office of the Nagar Parishad on 17.05.2018, as would be evident from Annexure-11 to the writ application.

The learned counsel for the petitioner submits that the Executive Officer instead of taking a decision on his representation issued Information No.68, dated 04.07.2018 regarding the same facts as recorded in the notice dated 05.05.2018.

The learned counsel for the petitioner, at this stage, submits that the petitioner would be satisfied if the writ application is disposed of with a direction to the Executive Officer, Nagar Parishad, Madhubani to dispose of the reply of the petitioner dated 17.05.2018 filed in



pursuance of the information dated 05.05.2018.

After hearing the learned counsel for the petitioner, the writ application is disposed of with a direction to the petitioner to file a fresh reply to the information No.17 dated 05.05.2018 within a period of one month from today and in the event, if any reply is filed by the petitioner by 10.05.2023 before the Executive Officer, Nagar Parishad, Madhubani, the Executive Officer, Nagar Parishad, Madhubani shall consider and dispose of the same within a period of three months from the date of receipt of the application in accordance with law.

(Satyavrat Verma, J)

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