

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16787 of 2018

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Prem Kumar Sharma @ Prem Lal Sharma @ Prem Sharma Son of Late Chiranjilal Sharma, Resident of Mohalla-Ray Bahadur devi Prasad Dhandhanian Lane P.O.-Sujaganj, P.S.-Kotwali, District-Bhagalpur.

... .. Petitioner/s

Versus

1. Bhagalpur Municipal Corporation Through The Commissioner and Ors
2. Additional Town Commissioner, Bhagalpur Municipal Corporation, Bhagalpur.
3. Administrative Officer/ Administrator, Bhagalpur Municipal Corporation, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar Sinha
For the Respondent/s	:	Mr. Swapnil Kumar Singh
For Bhagalpur Municipal Corporation	:	Mr. Manoj Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned counsel for the Municipal Corporation, Bhagalpur.

Learned counsel for the petitioner, at the outset, submits that he is not pressing the first relief claimed in the writ application based on instruction i.e., for quashing of order dated 26.03.2010 while Tax/Namankaran Case No. 2445 of 2009-10 passed by the Town Commissioner, Bhagalpur Municipal Corporation, Bhagalpur whereby the name of Sushila Devi Sharma was arbitrarily added in place of the name of Dinesh Sharma without noticing him.

Learned counsel next submits that he has instructions



to press the second relief claimed in the present writ application i.e., for a direction upon the Municipal Commissioner to expedite the revisional case filed in Tax/Namankaran Case No. 2445 of 2009-10.

On query of the Court, as to whether, there is any number of the revisional case or not, the learned counsel for the petitioner submits that revision is filed in the original case itself and hence the revisional case number is also Tax/Namankaran Case No. 2445 of 2009-10.

The said contention of the learned counsel for the petitioner is not disputed by the learned counsel appearing for the Municipal Corporation.

Learned counsel for the petitioner thus submits that the petitioner would be satisfied in the event if the writ application is disposed of with a direction to the Municipal Commissioner, Bhagalpur Municipal Corporation to expeditiously dispose of the revisional case arising out of Tax/Namankaran Case No. 2445 of 2009-10, it is next submitted that even in the counter-affidavit filed on behalf of the Municipal Corporation, the fact is admitted that the revisional case is still pending.

In view of the submission made by the learned



counsel for the petitioner which is not objected by the learned counsel appearing for the Municipal Corporation, the writ application is disposed of with a direction to the Municipal Commissioner, Bhagalpur Municipal Corporation to expeditiously decide the revision case arising out of Tax/Namankaran Case No. 2445 of 2009-10 preferably within a period of three months from the date of receipt/production of a copy of this order if the revision case as recorded herein above is still pending in accordance with law after noticing all the concerns.

At this stage, learned counsel for the petitioner submits that the dispute is between Sushila Devi Sharma and Dinesh Sharma, it is further submitted that Dinesh Sharma was father of the petitioner who died prior to filing of the writ application, thus the writ application was filed by the petitioner.

The writ application is disposed of.

(Satyavrat Verma, J)

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