

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3485 of 2023

Advertiser Welfare Association a society registered under the provisions of the Societies Registration Act, 1960 having its office at 440, Adisions Arcade, Frazer Road, Patna through its General Secretary, Suraj Kumar aged about 42 years son of Late Prem Niwas Sinha, Resident of Yarpur Khgaul Road, Beside Durga Mandir, P.O., GPO and P.S. Gardanibagh, Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. Deputy Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
4. Additional Secretary, Urban Development and Housing Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh, Advocate

For the Respondent/s : Mr. Kinkar Kumar (SC9)

Ms. Deepika Sharma, AC to SC-9

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-03-2023 Heard learned counsel for the petitioner and Mr. Kinkar Kumar, learned Standing Counsel No. 9 for the State.

The present writ application has been filed seeking quashing of the public notice published in the daily newspapers on 24.02.2023 by the respondent no. 4 whereby the existing advertisement hoardings, billboards, displays in the municipal area of Bihar have been directed to be removed within ten days of the notice dated 24.02.2023, failing which the same would be removed by the competent authorities of the concerned municipal area. The said public notice dated 24.02.2023 has been issued in purported implementation of Bihar Municipal Area, Advertisement Rules, 2023



framed under Section 419 of the Bihar Municipal Act, 2007. The notice also incorporates that if any agency, person or firm is interested in putting up advertisement/hoarding, they should contact the concerned municipal entity.

Learned counsel for the petitioner submits that the public notice was challenged on the ground that it was issued in pursuance of a rule framed under Section 419 of the Bihar Municipal Act, 2007. It is further submitted that the ground for challenge was that the rule itself in terms of Section 419 of the Bihar Municipal Act had yet not become a rule for non-compliance of Section 419(3) of the Bihar Municipal Act.

At this stage, Mr. Kinkar Kumar, learned Standing Counsel No. 9 submits that the public notice dated 24.02.2023 has already been withdrawn, thus, the writ application has become infructuous.

Learned counsel for the petitioner accepts the submission of the learned Standing Counsel No. 9.

In view of the averments made in the counter affidavit filed on behalf of the respondent nos. 1 to 4, the present writ application has become infructuous and, thus, stands dismissed as withdrawn.

(Satyavrat Verma, J)

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