

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18101 of 2014

1. Banarshi Prasad son of Late Dina Nath Prasad
2. Sunil Kumar son of Late Dina Nath Prasad Both resident of Mohalla -
Purani Bajaji Siwan, Police Station - Town Siwan, District - Siwan.

... .. Petitioner/s

Versus

1. Siwan Nagar Parishad, Siwan
2. The Executive Officer, Siwan Nagar Parishad, Siwan.
3. Sri Amrendra Gupta son of Basudeo Narayan Gupta Chick Toli, Naya Quila,
Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gajanan Arun, Adv.
For the Respondent/s : Mr. Ravi Bhushan Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 11-07-2023

Learned counsel for the petitioners and learned
counsel for the Nagar Parishad, Siwan appeared.

The present writ application has been filed for
quashing of the Memo No. 617 dated 03.05.2012, *i.e.* order
dated 14.11.2011 passed by the Executive Officer, Nagar
Parishad, Siwan in which the entry of petitioners' name in Old
Ward No. 14/ 30 New Ward No. 21 Holding No. 287/ 272 New
(Old 603) area 3.87 decimals, *i.e.* 1 *Katha* 17 *Dhurki* has been
rejected and their names have been struck down from Demand
Register and at their place, the name of respondent no. 3 has
been entered.

Learned counsel for the petitioners submit that the
petitioners have filed representation before the Divisional

Commissioner, Saran at Chapra as well as before the District Magistrate, Siwan but no action has been taken as yet.

Learned counsel for the Nagar Parishad, Siwan submits that under statute, the order passed by the Executive Officer, Siwan is appealable order under Section 143 of the Bihar Municipal Act, 2007, [Bihar Act 11, 2007] before the District Judge, as such, he ought to prefer appeal.

In this background, the petitioners are directed to file appeal under Section 143 of the Bihar Municipal Act, 2007, [Bihar Act 11, 2007] before the District Judge, Siwan against the order dated 14.11.2011 passed by the Executive Officer, Nagar Parishad, Siwan by which their applications have been rejected and names have been struck down from the Demand Register.

The limitation if any, in filing the appeal is also hereby condoned.

With this observation, the present writ application stands disposed off.

(Dr. Anshuman, J.)

sadique/-

AFR/NAFR	NAFR
CAV DATE	NA
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