

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11064 of 2015

Navin Chandra Verma @ Navin Kumar Verma Son of Late Bhubneshwar Lal Das, Resident of Village- Saharsa Town, Ward No. 8 New Colony, Sadar, S.D.O. Awas Road, Police Station- Saharsa, District- Saharsa,

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Saharsa,
3. The Deputy Development Commissioner-Cum-Chief Executive Officer, Zila Parishad Saharsa.
4. Sudhir Chandra Verma @ Sudhir Kumar Verma, Son of Late Bhubneshwar Lal Das, Resident of Saharsa Town, Ward No. 8 New Colony, Sadar, S.D.O. Awas Road, Police Station- Saharsa, District- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Advocate
For the Respondent/s : Dr. Md. Raisul Haque, SC-10

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioner and learned counsel for the State.

Re. Interlocutory Application No. 8286 of 2017

2. During pendency of the writ petition, a subsequent order has been passed vide order dated 22.07.2017 by Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Saharsa, which has also been challenged by the present interlocutory application before this Court.

3. Learned counsel for the State has no objection in allowing the same.

4. In this background, this interlocutory application is hereby allowed.

Re. CWJC 11064 of 2015

5. After some argument, counsel for the petitioner

submits that in the writ petition order dated 30.03.2015 (Annexure-9) passed by Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Saharsa has been challenged and subsequently by Interlocutory Application No. 8286 of 2017 order dated 22.07.2017 passed by Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Saharsa is under challenged.

6. Learned counsel for the State raised preliminary objection that the present dispute is covered under the Bihar Municipal Act, 2007 under which appeal lies against the order passed by Executive Officer before the District Judge under Section 143 of the Municipal Act, 2007.

7. In this background, this writ petition is disposed off with liberty to the petitioner that he shall avail the remedy challenging both the orders by way of filing different appeals before the District Judge within 30 days from the date of passing of this order.

8. Delay, if any, in filing the appeal is hereby condoned.

(Dr. Anshuman, J.)

ravishankar/-

U			
---	--	--	--