

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6587 of 2022

Imtiyaj Ahmad Son of Ash Mahamad, Resident of Village- Karsaut Tola,
Ramji Chapra, Police Station- Daraunda, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Divisional Commissioner, Saran at Chapra.
3. The District Magistrate, Siwan.
4. The Sub- Divisional Officer, Maharajganj, Siwan.
5. The Circle Officer, Maharajganj, Siwan.
6. The Executive Officer, Nagar Panchayat Office, Maharajganj, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC 19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2023 The present writ petition has been filed
seeking the following reliefs:-

"1. i) For issuance of an appropriate writ in the nature of Mandamus for commanding and directing the respondent authorities concerned to allow the petitioner to continue as a Tax Collector in Nagar Panchayat Maharajganj, District-Siwan by extending the contractual period and also by providing the tax receipt register etc and also for payment of his honorarium/commission since 07.02.2015, without any further delay,



as earlier the petitioner had been engaged as a Tax Collector for collection of the rent in Nagar Panchayat Maharajganj, District Siwan and on the basis of the same, since 07.02.2015, the petitioner had been discharging his duties as a Tax Collector and in this regard, the petitioner has been provided with the receipt register from sl. No. 2001 to 2005 and he has got deposited the rent receipts by collecting revenue of the Nagar Panchayat till 2016.

ii) For issuance of an appropriate writ in the nature of Mandamus for commanding and directing the respondent authorities concerned to consider the case of the petitioner sympathetically and continue his engagement as Tax Collector for collection of rent in Nagar Panchayat Maharajganj, District -Siwan, as he had been discharging his duties with best of his abilities but without any rhyme or reason, he is not being allowed to discharge his duties and he is not being provided the receipt register etc for tax collection.

iii) For issuance of an appropriate writ in the nature of Prohibition for restraining the respondent authorities concerned from making any



engagement on the post of Tax Collector for the Nagar Panchayat, Maharajganj, as the petitioner had been discharging the duties and had also acquired sufficient experience of the work and engagement of fresh candidate on the said post, would not be just and proper and, therefore, the respondent authorities concerned may kindly be directed to extend his contractual appointment as Tax Collector for the Nagar Panchayat, Maharajganj as one contractual appointment cannot be replaced by another unless an until fresh regular appointment is being made on the post as per the settled law.

iv) For direction to the respondent authorities concerned to dispose of the representation of the petitioner dated 02.11.2021 by reasoned and speaking order ventilating the genuine grievance of the petitioner without any further delay so that the petitioner might be able to discharge his duties as Tax Collector."

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the respondent



authorities for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. The present writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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