

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14756 of 2015

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1. Md. Jamil and Ors son of Late Aslim, resident of village Harrakh, P.S. Town, District Begusarai.
 2. Md. Sakil son of Md. Rahmat Hussain, resident of village Larwara, P.S. Bhagwanpur, District Begusarai.
 3. Md. Mustaque son of Md. Miajan, resident of village Laruara, P.S. Muffasil, District Begusarai.
 4. Pradip Sahni son of late Mahendra Sahni, resident of village Korla Aabadpur, P.S. Muffasil, District Begusarai.
 5. Pinku Kumar @ Pinku Kumar Singh son of late Sri Ram Padarath Singh, resident of village Panhas, P.S. Town, District- Begusarai.
 6. Naresh Sah son of late Mahabir Sah, resident of mohalla Station Road, P.S. Town, District Begusarai.
 7. Fakira Mandal son of Late Kamleshwari Mandal, resident of village Laxmanpur, P.S. Jamalpur, District Munger.
 8. Busra Khatoon, wife of Late Manzoor Alam, resident of village Hemzapur, P.S. Amas, District Begusarai.
 9. Md. Asahabuddin, son of Md. Sahabuddin, resident of village Laruara, P.S. Muffasil, District Begusarai.
 10. Sahabuddin son of late Nazamuddin, resident of village Laruara, P.S. Muffasil, District Begusarai.
 11. Md. Sahjada son of Md. Sakil, resident of village Fateha, Laruara, P.S. Muffasil, District Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Urban Development Department, Govt. of Bihar, Patna.
2. The District Magistrate cum-Collector, Begusarai.
3. The Begusarai Municipal Corporation, Begusarai, through its Commissioner.
4. The Municipal Commissioner, Begusarai Municipal Corporation, Begusarai.
5. The Executive Officer, Municipal Corporation, Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh, Advocate
For the Respondent/s	:	Mr. Kumar Priya Ranjan, SC-23
For the Corporation	:	Mr. Ravi Bhushan Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 15-03-2023

Heard learned counsel for the petitioners and learned



counsel for the State along with learned counsel for the Municipal Corporation, Begusarai.

The present writ application has been filed seeking quashing of the Notice dated 04.09.2015 issued by the respondent no. 4 whereby the petitioners have been directed to vacate the shop allotted to them within a week failing which the same shall be vacated through administration forcefully, the petitioners further prayed for a direction upon the authorities not to disturb the possession of the petitioners in functioning of their shop at Bus Stand Market, Begusarai in absence of alternate arrangement made.

The learned counsel for the petitioners, after some arguments, seeks permission to withdraw the writ application relying on Para 7 of the counter affidavit filed by the respondent no. 3 and 4 i.e. the Municipal Corporation, Begusarai wherein at Para 7 it has been specifically stated that if the petitioners will apply for accommodation, their candidature shall be considered in accordance with law and preference will be given to them.

The learned counsel for the petitioners further submits that though the statement made in Para 7 is not clear but still he believes that the Municipal Corporation will not go back on its assurance to which the learned counsel appearing for the



Municipal Corporation submits that in the event, if the petitioners vacate the shop which, presently, is in a dilapidated condition and is dangerous to life then the area shall be utilized for new construction and the petitioners will be given preference by the Municipality in the event, if any shop is to be allotted.

In view of the submissions made by the learned counsel for the petitioners, the writ application is permitted to be withdrawn.

(Satyavrat Verma, J)

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