

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8916 of 2021**

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Manoj Yadav son of Jairam Yadav Resident of Village - Lakhrao, P.S. - Siwan  
Mufassil, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary - Cum - Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Road Transport Department, Government of Bihar, Patna.
4. The Special Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
5. The Divisional Commissioner, Saran, Chapra.
6. The District Magistrate, Siwan.
7. The Executive Officer, Nagar Parishad, Siwan.
8. The Board, Nagar Parishad, Siwan, represented through its Chairman.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate  
For the Respondent/s : Mr. Y.P. Sinha, AAG-7

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

5      11-03-2024                      Heard the parties.

2. The present petition has been preferred for the  
following reliefs:

(i) For setting aside the order as  
contained in Letter No. 162 dated  
30.01.2021, issued by the Executive Officer,  
Nagar Parishad, Siwan, whereby he has  
directed the petitioner to pay balance of  
settlement amount i.e., Rs. 79,27,500/-  
calculating the revenue of entire financial



year i.e. from 01.04.2020 to 31.03.2021 irrespective of the fact that the original agreement as contained in Letter No. 22 dated 06.05.2020 issued with the signature of Executive Officer, Nagar Parishad clearly prescribes that the petitioner shall not be liable to pay Parwana/revenue for the period of lockdown and subsequent letter no. 1136 dated 03.07.2020 issued by the Executive officer, Nagar Parishad clearly prescribes that the three months revenue is set off and thereafter again 63 days complete lock down from 6th July to 6 September, 2020 imposed;

(ii) the petitioner also prays for setting aside the letter no. 332 dated 24.02.2021, issued by the Executive Officer, Nagar Parishad, Siwan whereby he has directed the petitioner to deposit Rs. 7143813/- within a period of one week otherwise appropriate action under the provision of law shall be taken after cancellation of the settlement.

(iii) the petitioner further prays for setting aside the letter no. 403 dated 04.03.2021 issued by the Executive Officer, Nagar Parishad, Siwan, whereby he has directed the petitioner to deposit Rs. 71,43,813/- within a period of one week otherwise appropriate action under the provision of law shall be taken after



cancellation of settlement;

iv) the petitioner further prays for setting aside the letter no. 434 dated 09.03.2021 issued by the Executive Officer, Nagar Parishad, Siwan, whereby he has directed the petitioner to deposit Rs. 71,43,813/- immediately otherwise appropriate action under the provision of law shall be taken after cancellation of settlement;

(v) The petitioner further prays for issuance of direction to the respondent authorities to consider decision of the Board of Nagar Parishad, Siwan dated 04.05.2020, which also find place in letter no. 22 dated 06.05.2020 and also in letter no. 1136 dated 03.07.2020 and reduce the three months revenue and also reduce the revenue of 63 days, I.e., from 6th July to 6 September, 2020 as during that period also there was complete lockdown in the State of Bihar because of corona pandemic and consequently the petitioner could not collect even a single farthing from the bus owners.

3. The petitioner claims that it was the period of Covid-19. He submits that between 06.07.2020 to 06.09.2020, there was another 63 days complete lockdown and he submits that the only thing the petitioner wanted that the



respondent- Executive Officer dispose of his representation dated 06.03.2021 (Annexure-12 to the petition).

4. Counter affidavits are on record which does not throw much light in the matter. In that background, it would be appropriate that the Principal Secretary, Urban Development and Housing Department, Bihar Patna decide the case of the petitioner.

5. Let the petitioner prefer his representation before the respondent no. 2 within a period of four weeks from today with all the relevant documents. If such representation is preferred, the respondent no. 2 shall be duty bound to put all the concerned parties on notice, summon the records of the case relating to the petitioner of the office of the respondent no. 7 and after hearing the parties, will pass an appropriate order within a period of four months from the receipt of the representation in his office.

6. The CWJC No. 8916 of 2021 stands disposed of.

7. The payments that the petitioner has to make shall await the final order passed by the respondent no. 2.

**(Rajiv Roy, J)**

Jagdish/-

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