

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5105 of 2024

Abhay Kumar Dikshit Son of Bhartendu Dikshit, resident of village-Kabirpur, P.S. - Nautan District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayat Raj, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Siwan.
3. The Chairman, Zila Parishad, Siwan.
4. The Chief Executive Officer-cum-Deputy Development Officer, Zila Parishad, Siwan.
5. The District Engineer, Zila Parishad, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma, Advocate Mr. Vyas Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Vijaya Laxmi Srivastava, AC to SC-23
For Zila Parishad	:	Mr. Dhananjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-07-2024 Heard the parties.

2. The present writ petition has been preferred for issuance of writ(s), order(s) or direction(s) in the nature of mandamus commanding and directing upon the concerned respondent particularly respondents no. 3 and 4 to renew settlement for running shop allotted vide agreement dated 11.2.2016 and continuing thereon in spit of depositing the advance money for three years as contemplated in paragraph-2 of the agreement and having no fault on his behalf.

3. It is the case of the petitioner that pursuant to the



allotment of shop to him in the year 2016, he has been regularly making payment but subsequently, the renewal is not taking place though, earlier, he has made payment and is also ready to up-date the payment.

4. Learned counsel appearing on behalf of the Zila Parishad, Siwan on the other hand has taken this Court to Annexure-7 to show that vide letter no. 190 dated 28.9.2022, the respondent, District Engineer, Zila Parishad, Siwan have summoned him to appear alongwith all the documents but the writ petition does not show whether he appeared/put forward his case or not.

5. Learned counsel for the petitioner reiterates that he shall be appearing before the concerned respondent in next four weeks alongwith the draft showing payment of arrears till 31.7.2024 with a prayer for renewal of the Shop which he is holding till date.

6. In that background, learned counsel appearing on behalf of the Zila Parishad, Siwan submits that if he clears the arrears and approaches the authority, the same shall be considered.

7. Taking into account the aforesaid facts, the writ petition stands disposed of with the following instruction:



(i) The petitioner to approach the respondent, the Chief Executive Officer-cum-Deputy Development Officer, Zila Parishad, Siwan in next four weeks alongwith the appropriate Bank Draft in favour of the Zila Parishad showing the payment of arrears till July, 2024, keeping in view of the assertions made by the petitioner that he is still holding the Shop.

(ii) if the said demand Draft alongwith the appropriate petition is preferred, the concerned respondent shall look into the matter and will take the needful decision in next two months.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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