

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1311 of 2022

In
Civil Writ Jurisdiction Case No.11099 of 2021

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Rakesh Rajgiriya Son of Sri Sunil Kumar Sinha, Proprietor of Subham Corporation Q 62 Road no-61 Magadh Colony Gaya, Resident of Village- Q-No-62 Road no-61 Magadh Colony, P.S.- Magadh Medical, Dist- Gaya.

... .. Petitioner/s

Versus

1. Sri Amir Subhani Chief Secretary, the State of Bihar, New Secretariat Patna-1.
2. Sri Anand Kishore the Principal Secretary Urban Development and Housing Department Bihar New Secretariat Patna-1.
3. Sri Avanees Kumar Singh the District Collector Jamui.
4. Sri Mritunjay Kumar the Executive Officer Nagar Parishad Jamui.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.
For the State : Mr.Shiv Kumar, AC to GA-3
For Nagar Parishad, Jamui : Mr. Anwar Karim, Adv.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

7 15-03-2024 Respondent-Executive Officer, Nagar Parishad, Jamui has taken a decision to freeze the petitioner's certain amount in the guise of non-execution of certain works allotted to him.

2. Perusal of such communication dated 17.11.2022 it is evident that petitioner has not been heard in the matter. It is to be noted that in the communication dated 17.11.2022 notice dated 14.11.2017 has been cited. That



notice has no relevancy for the reasons that petitioner has approached this Court in CWJC No. 11099 of 2021 and it was decided on 23.03.2022 while directing the concerned respondent to decide the petitioner's representation dated 25.11.2019. Therefore, issuance of notice dated 14.11.2017 has no relevancy.

3. Accordingly, Priyanka Gupta, Executive Officer, Nagar Parishad, Jamui who is present in the court is stated to be a new incumbent. She is hereby directed to issue a detailed notice to the petitioner within a period of one week from today. On receipt of notice, petitioner is hereby directed to furnish his detailed explanation within a period of two weeks. Thereafter, Executive Officer, Nagar Parishad, Jamui is hereby directed to pass a detailed speaking order after due consideration of each of the contention to be raised by the petitioner against show cause notice to be issued and communicate the same within a period of four weeks from the date of receipt of the explanation to the notice.

4. With the above observation, the present MJC stands dropped reserving liberty to the petitioner to file



interlocutory application to revive this order in the event of
non compliance of the aforementioned directions.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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