

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12559 of 2016

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Vyavsayik Sang, Mirganj Nagar Panchatyat son of Banarasi Prasad Keshri
resident of Mohalla- Daldari, Ward No.-5, Mirganj, P.S.- Mirganj, District-
Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna.
4. The Principal Secretary, Department of Urban Development, Government of
Bihar, Patna.
5. The District Magistrate, Gopalganj.
6. The District Development Commissioner, Gopalganj.
7. The Sub-Divisional Officer, Hathua Sub Division, District- Gopalganj.
8. The Circle Officer, Uchchakagaon Circle, Gopalganj.
9. The Nagar Panchayat, Mirganj through its Executive Officer at Mirganj,
District- Gopalganj.
10. The Chairman, Nagar Panchayat, Mirganj, District- Gopalganj.
11. The Executive Officer, Nagar Panchayat, Mirganj, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-07-2025 Heard Mr. Sanjay Kumar Pandey No-5, learned

counsel for the petitioner and Mr. Dhurjati Kumar Prasad,

learned GP-14 representing the State.

2. The present petition has been preferred for the
grant of following relief(s):

“(a) collect the Taxes (Kaudi) over the



transactions being held upon the Sairat Land of the Mirganj Bazar only, (which is fully described in the Para - 4 of this writ application);

(b) and not to collect the taxes from the business transactions being held beyond the 30.6 acres of the Sairat Land; on amongst other the following grounds :-

(i) For that the Nagar Panchayat Mirganj is entitled to auction and to collect the taxes over the business transactions being held on Khata No. 534, Plot No. 2349 and 2360 only, which is a Sairat Land.

(ii) For that the Nagar Panchayat is not entitled to collect the taxes from the business transactions being held upon the land which is outside the premises of the Sairat Land referred above.

(iii) For that in the Mirganj Bazar there are shops upon the Kastkari Land also, in which the people are doing business after giving commercial rent to the Mirganj Nagar Panchayat but the Mirganj Nagar Panchayat



is collecting the additional revenue from those shopkeepers/businessman also.

(iv) For that this collection of revenue; beyond the Sairat Land is illegal and void and the same is affecting the business of the shopkeepers and due to this the shopkeepers are suffering from irreparable injury.

(v) For that due to the illegal and arbitrary collection of Revenue/Taxes the Fundamental Rights of the Petitioner as enshrined in the Constitution of India has been violated.”

3. Learned State counsel has submitted that the matter is pending for consideration before the Executive Officer, Nagar Panchayat, Mirganj, Gopalganj (Annexure-4).

4. Learned counsel for the petitioner submits that presently fresh instruction is/are not there and if no decision has been taken they may be granted liberty to approach the Executive Officer, Nagar Panchayat, Mirganj, Gopalganj (respondent no.11) afresh.

5. In view of the limited prayer of the petitioner, the



writ petition stands disposed of allowing the petitioner to approach the concerned respondent in next four weeks who shall be taking the matter to its logical conclusion in next six months.

6. The aforesaid order is being passed in the background of the fact that no decision has been taken till date by the concerned authority.

(Rajiv Roy, J)

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