

**0IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9265 of 2025**

1. Rajendra Prasad Yadav, S/O Late Narayan Prasad Yadav, Resident of Village Banu Chhapar, P.S. - Banu Chhapar, District-West Champaran.
2. Kamleshwar Mishra, S/O Late Bamdev Mishra, Resident of Village Mahendra Colony, P.S.-Banu Chappar, District - West Champaran.
3. Vijay Kumar, S/O Haridwar Prasad Resident of Village- Rajendra Nagar, P.S. Kalibagh, District West Champaran.
4. Hira Sah, S/O Bharat Sah, Resident of Village- Nanda Tola, P.S.-Lauriya, District - West Champaran.
5. Yogendra Prasad Chaurasiya S/O Thakur Prasad Chaurasiya, Resident of village- Awaraiya, P.S.- Banu Chhapar, District- West Champaran
6. Hazari Kumar Yadav, S/O Late Kedar Yadav @ Kedar Prasad Yadav, Resident of Village- Banu Chhapar, P.S.- Banu Chaapar, District - West Champaran.
7. Mohan Kumar Devnath, S/O Late Nikhil Chandra Devnath, Resident of Village- Station Chowk, Urvashi Cinema Road, P.S.- Bettiah Muffasil, District - West Champaran.
8. Rakesh Kumar, S/O Late Ram Shewak Prasad Ray, Resident of Village- Kishun Bagh, Bettiah, P.S.-Bettiah Town, District- West Champaran.
9. Baiju Lal @ Baiju Sah, S/O late Sita Ram Sah, Resident of Village- Ananad Nagar, Near Bada Ramana P.S.- Bettiah Town, District- West Champaran.
10. Atul Mohan Poddar, S/O Sachindra Poddar, Resident of Village- Banu Chappar, P.S.- Banu Chhapar, District- West Champaran.
11. Tulsi Thakur, S/O Late Kishuni Thakur, Resident of Village- Durga Nagar, Near new Bus Stand Road, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development and Housing, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Urban Development and Housing, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, West Champaran at Bettiah.
4. Municipal Corporation, Bettiah, District- West Champaran through the Municipal Commissioner.
5. The Municipal Commissioner, Municipal Corporation, Bettiah, District- West Champaran.

... .. Respondents

**Appearance :**

|                     |   |                              |
|---------------------|---|------------------------------|
| For the Petitioners | : | Mr. Sanjeev Kumar, Advocate  |
| For the State       | : | Mr. Government Pleader (3)   |
|                     | : | Mr. Rajesh Kumar, AC to GP-3 |



For Resp. No. 4&5 : Mr. Priyadarshi Matri Sharan, Advocate

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

3      18-06-2025                      Heard learned counsel for the petitioners, learned  
counsel for the State and learned counsel for Respondent Nos. 4  
and 5.

2. The petitioners in the present writ application are  
claiming the following reliefs:-

*A. For issuance of writ in the nature of certiorari or any other appropriate writ, order/s, direction quashing the notices dated 26.03.2025 issued by the respondent no.5 in the names of the petitioners/their ancestors informing them that rental of their respective shop have been enhanced as Rs. 30 per square feet with effect from January, 2023 and directing them to pay the rent/ arrear of rent accordingly. (Annexure-P/2 Series).*

*B. For issuance of a writ in the nature of mandamus or any other appropriate writ, or order/s, direction commanding the respondents for the followings :-*

*I. To treat the Annexure-P/2 series to the petition to be nullity and non-est in the eye of law.*



*II. To hold that the unilateral enhancement of rent in question by the respondents is arbitrary and illegal and the same is violative of the original agreement entered into between the parties at the time of letting out of the premises to the petitioners.*

*III. To hold that the respondents are not entitled to arbitrarily enhanced the ground rent in question without providing any opportunity of hearing to the petitioners.*

*C. For any other relief/s to which the petitioners are found entitled to.*

3. The learned counsel for the petitioners submits that this writ application has been filed without ventilating his grievance through a representation before the Municipal Commissioner, Municipal Corporation, Bettiah, District-West Champaran and, therefore, he prays that the petitioners be given an opportunity to make a proper representation before the Municipal Commissioner, Municipal Corporation, Bettiah, District-West Champaran who may be directed to consider the representation of the petitioners and dispose it of by passing a reasoned and speaking order within a specified time.

4. Learned counsel appearing for the State as well as



for the Municipal Corporation do not have any objection to the nature of prayer being made by the learned counsel for the petitioners.

5. In view of the limited nature of prayer being made by the petitioners, this writ application is disposed of giving liberty to the petitioners to file an adequate representation before the Municipal Commissioner, Municipal Corporation, Bettiah, District-West Champaran ventilating their grievances and if such a representation is filed within two weeks from the date of production of this order, the Municipal Commissioner shall hear the petitioners and thereafter dispose of the representation by passing a reasoned and speaking order. The entire process must be carried out within a period of six weeks from the date of production of a copy of this order.

6. With the aforesaid observation and direction, this writ application is being disposed of.

**(Alok Kumar Sinha, J)**

Gaurav Sinha/-

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