

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16582 of 2016

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Rajeshwar Thakur son of Bikau Thakur Resident of Village-Deoliya, P.S.
Ram Nagar Duistrict West-Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director General of Police, Bihar , Patna
3. The Inspector General, of Police, Tirhut Division, Muzaffarpur
4. The District Magistrate-cum-Collector, West-Champaran, Bettiah
5. The Superintedent of Police , Bagaha, District West-Champaran
6. The Deputy Superintendent of Police, Bagaha, District West-Champaran
7. The Officer-in-Charge, Bagaha P.S., Bagaha District West-Champaran
8. Sri Suresh Kumar, Investigating officer, Bagaha P.S., District West-Champaran
9. The Sub-Divisional Officer, Bagaha, District West-Champaran
10. Bagaha Nagar parishad, through Executive Officer, Bagaha District West Champaran
11. The Executive Officer, Bagaha Nagar parishad, Bagaha, District West-Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate
For the Respondent/s : Mr.Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-11-2025 Heard the parties.

2. The present petition has been preferred for the
following relief/s:

*(I) to issue an order/order(s),
direction/directions, writ/writs in the nature
of mandamus commanding upon
Respondents concerned especially upon*



Respondent no. 6, to not disturb the Petitioner from collecting the toll tax of Bagaha Bus, Tempo stand, who has been assigned and authorized by the Executive Officer, Bagaha Nagar Parishad, West-Champaran (Respondent no.11) for collecting the Toll Tax from the year 2016-17 running from 01.04.2016 to 31.03.2017 contained in Annxure-4 after following due process after Tende4;

(ii) to hold and declare that the action of Respondent no.6 i.e. the Deputy Superintendent of Police, Bagaha, West-Champaran in not allowing the Petitioner and his agents from collecting the Toll Tax, is malafide, malicious, arbitrary and unsustainable in the eye of law and on facts both;

(iii) to grant any other relief/reliefs for which the Petitioner may be found entitled.

3. Learned State counsel submits that a perusal of the prayer would show that it was for the period 2016-17 and as



such with the passage of time, the petition has become infructuous, in any case, for the period he was granted tender, the coordinate bench has granted interim protection on 29.09.2016 and as such the petitioner was able to continue with the tender order though it was alleged in the counter affidavit that misusing the allotment of charging fees, the petitioner/ his men, had started charging fees from vehicle moving on National Highways-28-B, two kilometers away from the area allotted to him.

4. Though, this case was worth dismissal with cost in view of the averment made in the counter affidavit, copy of which served upon the petitioner on 19.10.2016 without any reply, in view of the fact that it has become infructuous, dismissed.

(Rajiv Roy, J)

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