

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13852 of 2022

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Krishna Prasad son of Sudarshan Prasad, permanent resident of Village-Hasanpura, P.S.-M.H. Nagar, District-Siwan at present resident of near Mani Sunaina NIwas, Tilkamanjhi, Anandnagar Colony, Barari Bus Stand Road, P.S.-Tilkamanjhi, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
4. The District Magistrate, Bhagalpur.
5. The Municipal Commissioner of Municipal Corporation, Bhagalpur.
6. The Chief Executive Officer, Municipal Corporation, Bhagalpur.
7. The Mayor, Municipal Corporation, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No 13, Advocate
For the State	:	Mr.Yogendra Pd. Sinha (AAG7)
For the BMC	:	Mr. Manish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 29-07-2025

Heard learned counsel for the petitioner, learned counsel for the State, and learned counsel for the Municipal Corporation, Bhagalpur.

2. Learned counsel for the petitioner submits that the



petitioner has filed the present writ petition seeking quashing of the order dated 23.07.2022 passed by respondent no. 5, namely the Municipal Commissioner, Municipal Corporation, Bhagalpur, as contained in Annexure-11 to the writ petition, and further prays for regularization of his service, in support of which several representations have been submitted.

3. Learned counsel for the State raises a preliminary objection and submits that Annexure-1 to the writ petition contains terms and conditions of payment, wherein Clause 4 specifically stipulates that the petitioner's claim for regularization cannot be accepted. On this ground alone, he submits, the present writ petition is not maintainable.

4. In response, learned counsel for the petitioner submits that despite filing a detailed representation dated 24.08.2015 (Annexure-6 to the writ petition), no decision has been taken by the concerned authorities till date.

5. In the aforesaid background, without expressing any opinion on the merits of the case, respondent no. 5, namely the Municipal Commissioner, Municipal Corporation, Bhagalpur, is directed to consider and dispose of the petitioner's representation (Annexure-6) by passing a reasoned and speaking order within a period of 90 days from the date of



receipt/production of a copy of this order.

6. With the aforesaid observation and direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	01/08/2025
Transmission Date	NA

