

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11092 of 2013

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1. Goverdhan Lal Pujari aged about 50 years S/O Sitaram Residence Of
Kranti Marg (Harding Road), PS - Sachivalya, PO - GPO Dist - Patna

.... Petitioners

Versus

1. The State Of Bihar
2. The Collector, Patna Office Its Patan Collectorate, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Goverdhan Lal Pujari

For the Respondent/s : Mr. Alok Ranjan AC to GA-13

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 02-11-2015

Heard the petitioner in person and Mr. Alok Ranjan

AC to GA-13 for the State.

This is, in fact, the third writ petition filed by the petitioner. The petitioner has prayed for grant of compensation for illegal/unauthorized demolition of the construction made by him on the land bearing plot nos. 1195 and 1196. Earlier the petitioner had filed C.W.J.C. No. 6444 of 2005 which was withdrawn by him. Again a writ petition was filed for directing the respondents to restore possession of the petitioner over the land in the light of the decree passed by the trial Court in the suit filed by the petitioner. The said writ petition was dismissed. Aggrieved thereby the petitioner filed appeal being LPA No. 764 of 2008. A web copy whereof has been produced by the counsel for the State.

On perusal whereof, it appears the said appeal was dismissed finding that the decree was executable and as such the petitioner should approach the Court of competent jurisdiction. Now the present writ petition has been filed with the aforesaid prayer.

It has been submitted that the structure was arbitrarily demolished by the respondent and as such the petitioner is entitled to compensation.

Conversely, the State counsel has submitted that at least on two occasions the petitioner had approached this Court with related grievance but at no point of time any prayer for compensation was made. The petitioner, if so advised, may approach the Civil Court for grant of adequate compensation.

Finding substance in the submission of the respondent State the application is dismissed but with the said liberty.

(Kishore Kumar Mandal, J)

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