

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21647 of 2011

=====

Sharad Singh S/O Late Krishna Prasad Singh Resident Of Rajbati,
Mohalla- Bara Bazar, P.S- Kotwali Town And District- Munger.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Divisional Commissioner, Munger.
3. The Collector, Munger.
4. The Khas Mahal Officer, Fort, P.S- Kotwali, District- Munger.
5. The Sub- Divisional Officer, Sadar, Munger.
6. Sri Subodh Kumar Executive Magistrate, Sadar, Munger.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Maijorwar

For the Respondent/s : Mr. S.S. Shabbar Hussain GP-4

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 01-10-2015 Heard.

The writ application seeks a direction upon the respondents to decide the matter of grant of lease which is pending since 2002. The petitioner also seeks quashing of the order dated 01.10.2011 (Annexure-8) passed by the respondent-Collector wherefrom it appears that certain piece of government land was permitted to be used by the petitioner for the purpose of plantation and beautification, the ownership whereof was to remain with the State. The petitioner tried to amalgamate the said land with the land of the school run and managed by him. After having issued notice to the petitioner, the said order was

passed directing him to remove the boundary wall erected on the land of the State Government.

A counter affidavit has been filed on behalf of the respondents justifying the action taken by the respondent-State.

Indisputably, according to the respondents, the land in question was leased out and not settled with the petitioner. It further appears that in the light of the order of respondent authority an encroachment proceeding is pending consideration vide Encroachment Case No. 05 of 2011.

This Court on perusal of the pleadings made in the writ petition and the facts stated in the counter affidavit does not find adequate reasons to interfere with the impugned order. The application is dismissed.

(Kishore Kumar Mandal, J)

HR/-

U			
---	--	--	--