

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5653 of 2009

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Pradeep Kumar, son of late Chandra Kishore Prasad, resident of Hulas Vihar, Infront of Police Colony, P.S.-Gardanibagh, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Veterinary and Fisheries Department, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. Rajendra Agriculture University through the Dean and Principal, Bihar Veterinary College, Patna.
5. The Principal, Bihar Veterinary College, Patna.
6. The Sub-Divisional Officer, Danapur.
7. District Land Acquisition Officer, District-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar
Mr. Raj Kamal

For the Respondent nos.1to3&6to7: Mr. Ajay Kumar Sharma, AC to
PAAG

For the Respondent no.4 : Mr.Anil Kumar Upadhayay
Mr.Chandra Mohan Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

19 14-08-2015

In the present proceeding filed under Article 226 of the Constitution of India, validity and correctness of a notification dated 26.04.1986 (Annexure-2) issued by the State Government and consequential lease deed dated 21.07.1986 (Annexure-3) for a period of 99 years, whereby the lands bearing plot no.2762 and 2763 appertaining to khata no.79 and 80 area 1.39 acres situate at Mauza Dhanaut, P.S.-Rupaspur, District Patna have been transferred to Rajendra Agriculture University, is sought to be challenged after undue and unexplained delay of almost 23 years. In the whole writ petition, explanation has not been furnished as to why the notification of the year 1986 and consequential lease dated 21.07.1986, as contained in Annexure-2 and 3 respectively, are sought to be challenged after such a long delay.

The writ petition suffers from delay and laches on the part of the petitioner in approaching the Court after such an unusually long delay.

The respondent S.D.O., Danapur has rightly rejected the prayer of the petitioner by his order dated 08.11.2008 (Annexure-1) on the ground that the power of cancelling the Jamabandi is not vested in him, as the land in question has already vested in the State of Bihar.

The present writ petition seems to be completely misconceived; and for the reasons recorded above, it is dismissed.

(Birendra Prasad Verma, J)

Arvind/-

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