

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.662 of 2013

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1. The State of Bihar through Collector, Nalanda.
 2. The Collector, Nalanda
 3. The Additional Collector, Nalanda.
 4. The Anchal Adhikari, Anchal Officer, Rajgir, P.O+ P.S- Rajgir, District- Nalanda.

.... Appellant/s

Versus

Dr. Rajiv Ranjan Sinha S/o Late Prem Kumar Sinha, Resident of Jyoti Niketan
Buddh Marg, Police Station- Kotwali, District- Patna.

.... Respondent/s

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Appearance :

For the Appellant/s :	Mr. Neeraj Kumar
For the Respondent/s :	Mr. S.S. Dwivedi, Sr. Adv.
	Mr. Ranjan Kr. Dubey
	Mr. Sangeeta Sharma
	Mr. Rakesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 26-11-2015

Heard learned counsel for the appellants and learned
counsel for the respondent.

The matter is related to the land appertaining to
Khata No. 33, Plot No. 5092, Area 18¾ decimals which the
respondent is claiming to have obtained through a registered sale deed
whereas the State has claimed that it is not a private land of the
respondent rather entry has been made as a Gair Mazarua Malik Land
and as such, he does not have any right and title over the land in
dispute. It further appears that the respondent has already constructed
a Hotel in the name and style of Sidhrath which is standing on some

proportion of the suit land.

This Court is not giving any opinion on the merit of the case, but looking to the facts and circumstances that already a Hotel is standing and running in certain portion of the land in dispute, this Court finds that the court below has considered every aspect of the matter and arrived to a conclusion that the respondent has satisfied three ingredients granting injunction and thereby allowed the same.

Looking to the facts and circumstance of the case, this Court does not find any merit in this appeal, accordingly, the same is dismissed.

(Shivaji Pandey, J)

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