

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1452 of 2010

IN

Civil Writ Jurisdiction Case No. 14305 of 2008

- =====
1. The State of Bihar through Secretary, Land Reforms and Revenue, Patna, Old Secretariat Building, Harding Road, Patna
 2. The Collector, Katihar
 3. The Additional Collector, Katihar
 4. The Sub-Divisional Officer, Katihar
 5. The Land Reforms Deputy Collector, Katihar
 6. The Anchal Adhikari, Dandkhora, Katihar
 7. The Superintendent of Police, Katihar
 8. The Officer Incharge, Dandkhora, P.S. & Distt.- Katihar

.... Appellants

Versus

Shobha Kant Jha, s/o Late Kali Kant Jha, R/o Vill.- Dwasai, P.S.- Dandkhora,
Distt.- Katihar

.... Respondent

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Appearance :

For the Appellants : None.

For the Respondent : Mr. Rabindra Nath Tiwari, Advocate.
Mr. Madhav Roy, Advocate.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

Date: 26-06-2015

None appears for the appellant State.

Counsel for the respondent is present, with whose assistance we have gone through the impugned order dated 16.07.2010 passed by learned Single Judge in C.W.J.C. No. 14305 of 2008, whereunder the learned Single Judge ensured delivery of



possession of the lands-in-question to the writ petitioner after 20 years of his dispossession and for the inconvenience caused to the petitioner imposed cost of Rs. 1,00,000/- on Land Reforms Department of the Government. According to learned Judge dispossession of the petitioner from the lands-in-question was wholly arbitrary, violative of the provisions of Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act. In appreciation of such fact learned Single Judge directed the State of Bihar through Land Reforms Department to pay cost of Rs. 1,00,000/-. It appears, by filing the present appeal, State and its functionaries are only assailing the imposition of cost.

2. We are not inclined to interfere with the direction of the learned Single Judge asking the Land Reforms Department of the Government to pay cost of Rs. 1,00,000/- to the writ petitioner, respondent herein. Let the amount of cost be paid to the writ petitioner, respondent herein, within a period of two months from the date of receipt/production of a copy of this order before

Principal Secretary, Land Reforms Department of
the State Government.

3. The appeal stands dismissed.

(V.N. Sinha, J)

(Nilu Agrawal, J)

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