

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19899 of 2014

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1. The Tirhut College of Physical Education through its Chairman Ravi Nandan Sahaya, S/O Late Krishnanandan Sahaya, resident of Village Sahaya Bhawan, Shyamnandan Road, P.S.- Kazi Mohammadpur, District- Muzaffarpur, Managing Trustee Trihut College of Physical Education, Trust Cum - Chairman, Trihut College of Physical Education Society
2. Ravi Nandan Sahaya, Chairman S/O Late Krishnanandan Sahaya, resident of Village Sahaya Bhawan, Shyamnandan Road, P.S.- Kazi Mohammadpur, District- Muzaffarpur, Managing Trustee Trihut College of Physical Education, Trust Cum - Chairman, Trihut College of Physical Education Society

.... Petitioner/s

Versus

1. The Union of India
2. The State of Bihar
3. The Director General of C.R.P.F., New Delhi
4. The Director- General of Police, STF, Patna
5. The Collector, Muzaffarpur
6. The Senior Superintendent of Police, Muzaffarpur
7. The Superintendent of Police, Muzaffarpur
8. The Commandant, C.R.P.F. Camp, Jhapaha, District- Muzaffarpur
9. The Commandant, S.T.F. Camp, Jhapaha, District- Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nutan Sahay

For the Respondent/s : Mr. A.UJJWAL

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 11-04-2016

Heard Mr. Yugal Kishore, the counsel for the petitioner and Mr. Arvind Ujjawal, SC-25 for the State-respondent(s).

On the previous occasion, the matter was considered and this Court noted that the CRPF, which was in occupation of the part/portion of the girls' hostel of the petitioners' institute, has already vacated the premises.

The application seeks a direction for vacation of the part/portion of the girls' hostel of the petitioners-institute occupied by the Seema Surakcha Bal (SSB) without the consent of the petitioners. It is stated that the petitioners-

institute might lose its recognition/affiliation from All India Council for Physical Education if the girls’ hostel is not fully constituted and made functional.

Mr. Ujjawal, on instruction, stated that if a reasonable time is granted the respondents will vacate the part/portion of the premises in occupation of the SSB.

On the face of the facts, it does not appears just and proper on the part of the district administration and the SSB or the Ministry of Home Affairs to house in the part/portion of the premises of the petitioners-institute. It is stated and, in my view fairly by Mr. Ujjawal, that part/portion of the premises of the petitioners-institute in occupation of the SSB at the instance of the district administration shall be vacated within a reasonable time.

Having considered the submissions of the parties, the writ application stands disposed of by directing the respondents particularly the respondent District Collector to ensure that the part/portion of the premises of the girls’ hostel of the petitioners-institute is vacated by the present occupant (SSB) within 05 months from today. Failure to do so shall be viewed seriously by the Court.

(Kishore Kumar Mandal, J)

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