

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7897 of 2014

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Udyan Prasad, son of Late Anshuman Prasad, resident of Anugrah Path, Kadamkuan, P.S. Kadamkuan, District Patna, at present residing at A/83/001, ONGC Colony, Goregaon, East Mumbai, Maharashtra.

.... Petitioner/s

Versus

1. The State of Bihar , through the Principal Secretary, Department of Revenue & Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue & Land Reforms, Government of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The Collector, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Shahi, Adv.

For the Respondent/s : Mr. Ajay Kumar Rastogi, AAG-10

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

8 19-09-2016

Heard the parties.

The petitioner has filed the present writ petition for a direction to the respondent authorities for mutation (Namantran) of his name with respect to the lands in question mentioned in paragraph 1 of the writ petition.

The learned counsel appearing on behalf of the petitioner submits that a counter affidavit has been filed on behalf of the respondent nos.1 to 4, wherein an order jointly passed by the Additional Collector, Patna as also the District Collector, Patna, communicated to the petitioner vide Memo No. 4046 dated 07.11.2014 has been brought on the record, as contained in Annexure-A to the aforesaid counter affidavit, whereby lease made in favour of the petitioner with respect to the lands in question has been cancelled.

In the considered opinion of this Court, now, in view

of the aforesaid order, as contained in Annexure-A to the aforesaid counter affidavit, complexion of the present case has completely changed, and the relief sought for on behalf of the petitioner in the present writ petition cannot be appropriately considered.

In above view of the matter, the present writ petition is disposed of with a liberty to the petitioner either to file a fresh writ petition in the same subject matter with crystallized relief(s) enumerated in paragraph 1 of that writ petition or to move any other appropriate authorities/court for grant of appropriate relief to the petitioner with respect to the lands in question.

It is clarified that this Court has not gone into the merits of the claims of the parties with respect to the lands in question and it is left to be decided in an appropriate fresh proceeding brought by the petitioner.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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