

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1880 of 2014

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Saurabh Kumar, S/O Ganesh Prasad Mauar, Grand S/O Late Jagdish Prasad Mauar, Resident Of Mohalla Mauar Lane, Sultanganj, Patna, P.S-Sultanganj, District- Patna.

.... Petitioner/s

Versus

1. The State Of Bihar through District Magistrate, Patna.
2. The Executive Engineer, Anchal-I, Patna Bihar State Housing Board, Patna.
3. The Bihar State Housing Board, Patna through its Secretary.
4. Land Acquisition Department, Sadar Patna through its Secretary.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Adv.

Mr.Natraj Verma, Adv.

Mr.Lakshmikant Tiwary, Adv.

For the Respondent nos.1&4 : Mr. Ashok Kumar Keshri, AAG-XI.

Mr. Ujjwal Kumar Sinha, AC to AAG-XI

For the Respondent nos.2&3 : Mr.Rabindra Kumar Priyadarshi, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

8 20-07-2016

After having heard the parties at some length, this Court finds that the relief sought for on behalf of the petitioner in the present writ petition is based on disputed questions of facts, which cannot be appropriately gone into in a proceeding filed under Article 226 of the Constitution of India.

Furthermore, learned counsel appearing on behalf of the respondents have drawn the attention of this Court towards orders dated 02.07.2013 and 22.11.2012 passed in CWJC No.11083 of 2011 and CWJC No.12007 of 2011 respectively (Annexure-F series of the supplementary counter affidavit filed on behalf of the respondent nos.2 and 3). By aforesaid orders, in identical circumstances, the aforesaid two writ petitions have been dismissed by a Co-ordinate Bench of this Court.

In order to maintain consistency, and since the issues of facts raised on behalf of the petitioner are under serious dispute, the present writ petition is dismissed, but a liberty is granted to the petitioner to approach the Civil Court of competent jurisdiction for grant of appropriate relief(s).

(Birendra Prasad Verma, J)

Arvind/-

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