

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3524 of 2014

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1. Krishna Prasad Son Of Late Shivnandan Prasad Resident Of Fatehpur,
P.O. Musadhi, P.S. Karaiparsuri, District – Nalanda.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Cooperative Department, Government Of Bihar, Patna
3. The Registrar, Cooperative Societies, Bihar, Patna
4. The District Magistrate, Nalanda
5. The Assistant Registrar, Cooperative Societies, Hilsa, Nalanda
6. The District Cooperative Officer, Biharshariff, Nalanda
7. The Sub - Divisional Officer, Hilsa, Nalanda
8. The Circle Officer, Hilsa, Nalanda
9. The Sub - Registrar, Registry Office, Hilsa, Nalanda
10. The Chairman, Primary Agriculture Credit Society, Karaiparsurai,
Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D.K. Sinha, Senior Advocate
Mr. Abhinay Raj

For the Respondent/s : Mr. Nagendra Kumar, A.C. to AA.G.-9
Mr. V.R.P. Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 20-09-2016 Heard Mr. D.K. Sinha, learned senior counsel for the

petitioner, Mr. V.R.P. Singh for the private respondents and A.C.

to A.A.G.-9 for the State.

A counter affidavit on behalf of the respondent no.

10 is filed.

The petitioner is donor of a piece of land in favour

of the State. It is stated that gift was for a defined purpose. The

State Government has not utilized the land for the said purpose

and, as such, he is entitled to return of the land by another

document.

The respondents have objected to the said prayer of the petitioner contending that the gift was absolute in nature and it cannot be repatriated or returned.

A dispute like this cannot be examined in writ jurisdiction of the Court. Any party aggrieved can always approach the Court of competent civil jurisdiction for redressal of the grievance as raised through the present writ application.

Mr. Sinha, however, states that as the donee is the State Government, the petitioner would ventilate his grievance before the District Magistrate-cum-Collector of the district who may be directed to consider the case.

Without opining any view on the merit of the claim of the petitioner, the writ application stands disposed of permitting the petitioner to ventilate his grievance before the respondent District Magistrate for consideration in accordance with law. If any such representation is filed within four weeks, I am sure the same shall receive consideration and disposal at the hands of the said respondent expeditiously.

(Kishore Kumar Mandal, J)

Pankaj/-

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