

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7092 of 2014

Radhakant Mishra Son of Late Pandit Sudarshan Mishra Resident of Village
Guruwalliya Shivala Tola, Police Station- Manuapool, District- West Champaran at
Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Department of Sugarcane Industry, Government of Bihar, Patna.
5. The Principal Secretary, Registration Department, Government of Bihar, Patna.
6. The Principal Secretary, Industry Department, Government of Bihar, Patna.
7. The Principal Secretary, Department of Energy, Government of Bihar, Patna
8. The District Magistrate, West Champaran at Bettiah.
9. The Sub. Registrar, Bettiah, West Champaran.
10. Sri Prakash Jha, Director Son of Tejnath Jha Resident of Village- Guruwalliya, Police Station- Manuapool, District- West Champaran at Bettiah, At Present- Director, Maurya Sugar Mill Private Limited, P & M Infrastructure Private Limited 47 B- Sahdeo Mahto Marg, Patna, Police Station- Sri Krishnapuri, District- Patna, Patna- 800001.

.... Respondent/s

Appearance:

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the State Mr. LALIT KISHORE (PAAG-1)
Mr. Anshuman Singh, AC to PAAG-1

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT
Date: 20-10-2016

Heard the counsel for the petitioner and the State.

Counter affidavits on behalf of the concerned respondent(s) have
been filed.

The writ application prays for a direction upon the respondents to
take steps for immediate installation of Maurya Sugar Mill, Guruwalliya in the
district of West Champaran for which the lands of several persons including that
of the petitioner were acquired.

In course of submission, the counsel for the petitioner has also submitted that the petitioner, in fact, has prayed for cancellation of the sale deed as the stamp duty thereon was not properly stamped/pasted.

The counter affidavit of Sub Registrar states that upon realization of the stamp duty as well as the registration fee the sale deed was registered. A serious objection has been raised on behalf of the State against the prayer of the petitioner. It is stated that this Court in the writ jurisdiction would not declare the sale deed valid or invalid. If the petitioner wants a declaration in this regard, he should move the court of competent civil jurisdiction. I find substance in the submission of the counsel for the State.

The application is held devoid of any merit. Dismissed.

Dismissal of this application shall, however, not preclude the petitioner from approaching the appropriate authority/forum for ventilation of his grievance in accordance with law.

(Kishore Kumar Mandal, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	25.10.2016
Transmission Date	