

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1173 of 2016

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1. Surendra Prasad Singh, son of Late Yamuna Prasad Singh.
 2. Shambhu Kumar, son of Late Janki Yadav.
Both resident of Village Konchi, P.S. Guraru, District Gaya.

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar.
2. The District Magistrate, Gaya.
3. The Deputy Collector, Land Reforms, Tekari, Gaya.
4. The Circle Officer, Guraru, District Gaya.
5. The Bihar State Food & Civil Supplies Corporation, East Boring Canal Road, Budha Colony, Patna through its Managing Director.
6. The Managing Director, The Bihar State Food & Civil Supplies Corporation, East Boring Canal Road, Budha Colony, Patna.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Archana Sinha, Advocate.
For the State : Mr. Ravindra Kumar, Advocate.
For the BSFC : Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 13-02-2017

Grievance of the petitioners is that the land of cremation ground is being utilized for the construction of Kisan Bhawan.

In the counter affidavit, it is pointed out that the land for the construction of Kisan Bhawan was given by the Gram Sabha and that Kisan Bhawan has since been completed.

On 28.01.2017, the petitioners had sought time to file an affidavit to show that the land in question is currently being used



for the purpose of cremation. In terms of such direction, a supplementary affidavit has been filed giving the list of the persons who were cremated. However, in the said list neither the date of death nor the date of cremation has been mentioned.

The plea of the State is that the land in question is a non-functional cremation land which is now being utilized for the purpose of Kisan Bhawan.

We do not find that any action is required as the land of non-functional cremation ground has been used for another public purpose. The writ application is, thus, disposed of.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Mishra

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	16.02.2017
Transmission Date	

