

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 13022 of 2016

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Shlok Kumar Tiwari, Son of Sri Surnedra Nath Tiwari, Resident of Chainpur Moubarakpur, Post Office Chainpur, Police Station- Shiswan, District – Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department, Bihar, Patna.
2. The District Magistrate, Siwan.
3. District Sub Registrar, Department of Registration, Siwan.
4. The Additional Collector, Revenue Department, Siwan.
5. The Circle Officer, Siwan, Revenue Department, District- Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Uday Bhan Singh, Advocate
For the State	:	Mr. Sajid Salim Khan, S.C. 25

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 04-02-2017

Heard learned counsel for the parties.

The petitioner has moved the Court for a direction to the respondents to consider his representation with regard to fixation of the lease rate as per the rate prescribed by the Government. At the very outset, learned counsel for the petitioner submitted that for the said purpose he has filed a representation before the Collector, Siwan on 14.03.2016, who is the competent authority to decide the issue, copy of the representation being Annexure-3 to the writ application. He submitted that despite nearly a year having elapsed, the representation has not been disposed off resulting in him suffering due to non furnishing of the N.O.C. from the Collector to be submitted before the Hindustan Petroleum Corporation for allotment



of an outlet namely ‘Hamara Petrol Pump’.

Learned counsel for the State submitted that the writ petition be disposed off directing for disposal of the representation of the petitioner within a reasonable time. However, he further submitted that the petitioner wants the lease amount to be reduced which is not proper since admittedly he proposes to use the land for commercial purpose and, thus, he is required to pay a rate in terms thereof whereas, he wants the same to be at a lower rate, which is not justified.

Having considered the aforesaid, the writ petition stands disposed off with a direction to the Collector, Siwan (respondent no. 2) to decide the representation filed by the petitioner dated 14.03.2016 (copy at Annexure-3) expeditiously and within a maximum period of two months from the date of production of a copy of this order before him. It is made clear that the Court has not expressed any opinion on merits and the same shall be considered by the respondent no. 2 taking into consideration all aspects, in accordance with law.

(Ahsanuddin Amanullah, J.)

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