

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18466 of 2016

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Gyan Bahadur Singh Son of Late Chandra Madho Singh, Resident of Village- Raipur Chore, P.S.- Sheosagar, District- Rohtas. At present resident of Mohalla- Gajrarh, Gaurakshani, P.S.- Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through its Secretary, Panchayati Raj Deptment, Govt. of Bihar, Patna.
2. The District Magistrate, District- Rohtas at Sasaram.
3. The Deputy Development Commissioner Cum Chief Executive Officer, Zila Parishad, Rohtas at Sasaram.
4. The Rohtas District Board, Sasaram through the Administrator, District- Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the District Board : Mr. Ashutosh Ranjan Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 02-08-2017

Heard learned counsel for the petitioner, State and the District Board, Sasaram.

2. The petitioner has moved the Court for the following reliefs:

“ That this is an application for quashing the notice issued vide letter no. 309 dated 27.08.2016 by the Deputy Development Commissioner cum Chief Executive Officer, Rohtas Zila Parishad, Sasaram by which he has directed to deposit a sum of Rs. 8630/- by issuance of writ in the nature of Certiorari, as well as for issuance of



any other writ or writs or direction or directions to the respondents not to disturb the petitioner at least expiration of period of lease dated 23.07.1980 and thereafter to review the lease dated 23.07.1980 in accordance with the terms and conditions of the lease in question.”

3. As it transpires, there is a bilateral deed of agreement between the petitioner and the District Board, Sasaram with regard to settlement of the shop in question for a period of 39 years commencing 23.07.1980.

4. In view of the aforesaid, learned counsel for the District Board, Sasaram submitted that they have decided not to press with the notice issued to the petitioner and that they may be permitted to take action in accordance with law.

5. In view of the stand taken by learned counsel for the District Board, Sasaram, the writ petition stands disposed off by setting aside the notice impugned dated 27.08.2016. However, the same shall not preclude the District Board, Sasaram to act in the matter of either cancellation of the lease agreement with the petitioner or enhancement of rent, in accordance with law.

(Ahsanuddin Amanullah, J)

Anjani/-

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