

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1836 of 2018

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Anju Kumari Singh, wife of Ajit Kumar Singh, Resident of Village- Sughari,
Gram Panchayat Bilaspur, P.S.- Bhagwanpur, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Executive Engineer, Road Division, Road Construction Department, Siwan.
4. The Assistant Engineer, Road Division, Road Construction Department, Siwan.
5. The Collector, Siwan.
6. The Circle Officer, Bhagwanpur Hat, District- Siwan.
7. Bharat Petroleum Corporation Limited, represented through Managing Director, having its registered office at Bharat Bhawan, 4 & 6 Kurrimbhoi, Road, Ballard Estate, P.B. No.- 688, Mumbai- 400 001.
8. The Territory Manager (Retail), Muzaffarpur, Bharat Petroleum Corporation Limited, at Village- Sherpur on N.H. 28, P.O.- M.I.T. Bela, District- Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Md. Imteyaz Ahmad, Advocate
For the State : Mr. Subodh Kumar, AC to SC26
For Respondent Nos. 7 & 8: Mr. Sanjay Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-05-2018

The present writ petition has been filed for the following
reliefs—

“(i) For issuance of an appropriate Writ/Writs, Order/Orders, direction/directions in the nature of Certiorari for quashing the letter vide letter no.2019 dated 3.7.2017 by which the Collector, Siwan has wrongly calculated the amount against the Salami and lease of the alleged government land said to be used as approval road for the proposed MS/HSD



Retail Outlet Dealership at location between Masrakh to Malmalia on SH 73 District Siwan under open category taking the commercial rate of MVR of different Mauza namely Kauria other than the one under which the proposed retail outlet falls namely Bilaspur Mauza.

(ii) For issuance of an appropriate Writ/Writs, Order/Orders, direction/directions in the nature of mandamus directing the respondent authorities to issue "No Objection Certificate" in the name of petitioner which is required for the purpose of opening of new retail outlet dealership at location mentioned above in the district of Siwan in terms of parameter stipulated in Advertisement dated 19.10.2014 for which the letter of intent has already been issued in favour of the petitioner vide letter dated 30.11.2016 and the petitioner is only required to deposit the requisite amounts against the conversion of agricultural land for commercial activities proposed to be calculated on the basis of prevailing rate at the time of issuance of advertisement and accordingly would be demanded by the respondent authority.

(iii) Further prays for directing the respondents to pay compensation/loss caused due to the undue delay in issuing No Objection Certificate (hereinafter referred to as the NOC) even after fulfilling the criteria laid down in the advertisement as the petitioner has taken land on lease way back in the year 2014 at the rate of Rs. 25200/-

(iv) For further kind indulgence of this Hon'ble



Court to look into the matter and the concerned respondents may be directed to produce all connected records for perusal and passing of appropriate order.

(v) For any other relief/reliefs, which the Hon’ble Court may grant in general interest that may be deemed appropriate and necessary in this case.”

2. Learned counsel for the petitioner submits that the grievances of the petitioner have been redressed and hence the present writ petition need not be pressed on merits.

3. The writ petition stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	25.05.2018
Transmission Date	N.A.

