

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.686 of 2015

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1. M/s Jagdeep Developers Pvt. Ltd. through its Managing Director Sri Jagdeep Prasad Verma Son of Late Jawahar Lal, Resident of Village - Govinda Complex, Govind Mitra Road, P.O- Bankipur, P.S- Pirbahore, District- Patna.
2. Sri Jagdeep Prasad Verma Son of Late Jawahar Lal Managing Director M/S Jagdeep Developers Pvt Ltd. Resident of Govinda Complex, Govind Mitra Road, P.O- Bankipur, P.S- Pirbahore, District - Patna.

.... Petitioners

Versus

1. The State of Bihar through the Collector, Patna.
2. The Education Commissioner, Govt. of Bihar, Department of Human Resources, New Secretariat, Patna.
3. The Director, Secondary Education-cum-Joint Secretary, Department of Human Resources, Govt. of Bihar, Patna
4. The District Land Acquisition Officer, Patna.
5. T.K Ghosh Academy through the Principal, Ashok Raj Path, P.S.- Pirbahore, District - Patna.

.... Respondents

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Appearance :

For the Petitioners	:	Mr. Abinash Kumar
		Mr. Sourendra Pandey, Advocates
For the Respondents	:	Mr. Ajeet Kumar, GA 9
		Mr. Manoj Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 16-03-2018

Heard learned counsel for the petitioners as well as learned
counsel for the respondents.

2. The present writ petition has been filed for quashing the entire proceeding of Land Acquisition Case No. 5 of 2010-11 in favour of respondent no. 5 with the help of other official respondents, who have lost their legal battle upto Hon'ble Supreme Court in Title Suit No. 71 of 1959 as well as Eviction Case no. 42 of 1990 with respect to land and building of T.K. Ghosh Academy appertaining to M.S. Khesra No. 1346(entire), 1347(entire), 1345(part), 1342(part) and 577(part), holding no. 14, area 1.099 acre situated at Shok Raj Patha, Patna.



3. At the very outset, learned counsel for the parties inform this Court that Misc. Appeal No. 105 of 2011 (*M/s T.K. Ghosh Academy & Ors Vs. The State of Bihar and others*) with Misc. Appeal No. 106 of 2011(*The State of Bihar & anr. Vrs. Shantanu Palit and others*) have been disposed of by the Appellate Authority vide order dated 25.04.2015 during the pendency of the writ petition. By the appellate order, “the order dated 22.10.2011 passed in Misc. Case No. 15/2010 by the Execution Munsif, Patna has been set aside with direction to remand back the matter to the court below to give fresh hearing and opportunity to file fresh materials in the light of the documents filed by the appellant as referred above during course of this miscellaneous appeal.”

4. Learned counsel for the petitioners therefore submits that the writ petition need not be pressed in view of the remand order aforesaid.

5. The writ petition accordingly stands disposed of.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	16.03.2018
Transmission Date	N.A.

