

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.98 of 2017

In
Civil Writ Jurisdiction Case No.13599 of 2012

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Ara Sasaram Light Railway Company Limited having registered Office at 9, Lal Bazar Street, Kolkata (In voluntary Liquidation) through its Power of Attorney Holder Krishna Singh, Son of Sri Ram Ratan Singh, resident of B-143, Budha Colony, Patna-800 001

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anjani Kumar Singh Son of name not known to the petitioner Chief Secretary, Government of Bihar, Patna.
3. Amir Subhani Son of name not known to the petitioner Principal Secretary, Department of Home, Government of Bihar, Patna.
4. Birendra Prasad Yadav Son of name not known to the petitioner, Collector-cum-District Magistrate, Bhojpur, Ara.
5. Kshatranil Singh Son of name not known to the petitioner Superintendent of Police, Bhojpur, Ara.
6. Niyaz Ahmad, Son of Name not known to the petitioner Inspector of Police, Ara Circle, Ara.
7. Rajiv Kumar Son of name not known to the petitioner Officer-in-Charge, Udawantagar, Police station, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anju Kumari @ Anju Narain
For the Respondent/s : Mr. Prabhat Kumar Verma AAG-III

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

8 19-12-2018 Heard learned counsel for the petitioner as well as learned AAG-III for the State.

Learned AAG-III took me through the relevant paragraphs of the show cause and submitted that the appropriate security was provided to the petitioner and as a matter of fact, under the security provided by the State Government, the petitioner got constructed boundary wall at two places.



Learned counsel appearing for the petitioner submits that no doubt, the boundary wall was prepared at two places but the respondents are not providing proper security to the petitioner for erection of boundary wall of other three places, particularly, in the circumstance, when they had already realized money from the petitioner for providing security to him at three other places.

Having heard the contentions of the parties. I went through the record. The order dated 21.11.2014 passed in CWJC No. 13599 of 2012 goes to show that this Court had only directed the opposite party no. 2 to provide security to the petitioner within the rules and this Court has nowhere directed the concerned authorities to get the lands in question vacated and handed over the possession to the petitioner. Therefore, in my view, the order of this Court has already been complied with and there is no need to keep this matter pending. However, the petitioner shall be at liberty to take legal steps for realization of his money paid to the concerned authorities, if he, is not satisfied with the act of the concerned authorities.

Accordingly, this petition stands disposed of.

N.K/-

(Hemant Kumar Srivastava, J)

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