

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13130 of 2013

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Sandip Kumar, S/O Sri Jugal Kishore Prasad, R/O Next to Primary School, P.O-
Chand Chaura, P.S. - Civil Lines, District- Gaya- 823001.

.... Petitioner

Versus

1. The State of Bihar through Secretary, Department of Tourism, Bihar, Patna.
2. The Deputy Secretary, Department of Tourism, Bihar, Patna.
3. The Director, Department of Tourism, Bihar, Patna.
4. The Deputy Director, Department of Tourism, Bihar, Patna.
5. The Joint Director, Department of Tourism, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Vishal Saurabh, Advocate

For the Respondents : Mr. Priyank Samdarshi, AC to SC 9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 21-08-2018

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

2. The present writ petition has been filed for quashing
the letter no. P.Ni. (Stha.)-34/07/1110 Patna, dated 27.05.2013
issued under the signature of respondent no. 5 by which he has
rejected the application of the petitioner dated 26.02.2013 by which a
prayer was made to renew the agreement dated 21.09.2007.

3. Learned counsel for the petitioner submits that an



agreement dated 21.09.2007 was entered into between the parties in terms of which the petitioner was running shop no. 34-35 on the terms and conditions enumerated therein. The agreement was entered into for a period of one year which was renewed from time to time. However, no further renewal was made and the authorities have arbitrarily rejected the petitioner's application dated 26.02.2013 for further renewal even though the petitioner was continuing to fulfill all the terms and conditions of the agreement.

4. Learned counsel for the respondents, on the other hand, opposes the writ petition, inviting reference to paragraph 3 of the counter affidavit. It has been stated that after a series of bomb blast at *Mahabodhi Temple Complex*, a decision was taken by the District Administration to demolish the entire shopping complex due to security reasons with a view to providing proper security arrangements.

5. Having regard to the nature of the grievance of the petitioner and the stand of the respondents, this Court finds the writ petition to be devoid of merit. The petitioner has not been able to show that there was any renewal clause in the agreement dated 21.09.2007 on the basis of which he could claim extension and renewal thereof as a matter of vested right. That apart, the action of the respondents in rejecting the petitioner's application for renewal



of the agreement cannot be said to be arbitrary in view of the stated reasons for doing so.

6. The writ petition stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
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