

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8629 of 2019

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Salil Kumar, Son of Bharat Yadav Resident of Village-Chukti, P.S.-Mansi,
District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector Khagaria
2. The Collector, Khagaria
3. The Sub-Divisional Officer, Khagaria
4. The Circle Officer, Mansi, Khagaria

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Chandra
For the Respondent/s	:	Mr. Sajid Salim Khan (SC 25)
		Mr. W.A. Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-04-2019 Heard learned counsel for the parties.

The petitioner has put to challenge an order, dated 07.08.2018, passed by the Collector, Khagaria, in Misc. Case No. 06 of 2014-15, whereby he has affirmed an order passed by the Sub-Divisional Office in Land Conversion Case No. 12/2013-14.

It is the admitted case of the petitioner that the land, subject matter of the present proceeding, appertaining to Khata No. 495, 354, Khesra No. 1960 and 1961, area 18 Katha, was purchased by him through a registered sale-deed on 30.09.2000, which was an agricultural land. It is also his admitted case that



in 2013, he had applied for conversion of his agricultural land as commercial, on allotment of an agency for running a petrol pump. On the petitioner's application filed for the conversion of land, the Sub-Divisional Officer, Khagaria, had asked him to deposit a sum of Rs. 6,04,405/- treating the land to be commercial and calculating the revenue at the rate of Rs. 70,000/- per decimal.

The said order of the Sub Divisional Officer has been affirmed by the Collector, Khagaria.

Learned counsel, appearing on behalf of the petitioner, submits that since the land, which he had purchased was agricultural, the rent ought to have been calculated accordingly at the rate of Rs. 5,000/- per decimal. The said submission is not at all acceptable to this Court. It is admitted fact that a petrol pump has been opened on the land, which, according to the petitioner, was agricultural at the time of his purchase, with the opening of the petrol pump the nature of the land changed for the purpose of determination of revenue and stood converted into a commercial land.

This is not disputed that Rs. 70,000/- per decimal is the rate of rent as per the chart prepared by the Sub-Registrar for commercial land. In such circumstance, I do not find any



merit in this application, which is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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