

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2681 of 2016

In
Letters Patent Appeal No.208 of 2000

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Kedar Nath Jhunjhunwala, son of late Satya Narayan Jhunjhunwala, resident
of Basant Vihar Colony, P.S. Sri Krishna Puri, Town + District Patna
... .. Petitioner

Versus

1. The State Of Bihar through Sri Vyas Jee, I.A.S. Secretary, Department of
Revenue and Land Reforms, Govt. of Bihar, Patna
 2. Sri Binay Thakur, Deputy Secretary, Department of Revenue and Land
Reforms, Govt. of Bihar, Patna
 3. Sri Anand Kishore, I.A.S. Commissioner, Patna Division, Patna
 4. Sri Sanjay Kumar Agrawal, I.A.S. Collector-cum-District Magistrate, Patna
 5. Sri Waziuddin Ansari, Addl. Collector, Khas Mahal, Patna
 6. Sri Waziuddin Ansari, Addl. Collector, Revenue, Patna
 7. Sri Mithilesh Kumar, Deputy Collector, Land Reforms, Patna Sada. Patna
... .. Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Adv.
For the Respondent/s : Mr. Lalit Kishore, A.G.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

15 10-01-2019 Heard Mr. Mritunjay Kumar, learned counsel for the

petitioner and Mr. Lalit Kishore, learned Advocate General for the

State.

In so far as the contempt aspect is concerned, it is stated
that the lease stands restored under the orders of the Division
Bench and the inter-party obligations either by the lease holder or
the State as found under the order, also stands discharged.

The issue which is now being canvassed by Mr.
Mritunjay Kuma, learned counsel for the petitioner is that it is
under the orders of this Court that on expiry of the lease in 2017, a
process of renewal of the lease w.e.f. 2017 had also been initiated,



and renewal fee deposited but which process has been reversed subsequently for no apparent reason. According to Mr. Lalit Kishore, learned Advocate General, the reversal took place because the prayer for renewal has to be considered on its own merit in accordance with law and not following the order on L.P.A. He submits that since the renewal was initiated under an impression of a mandamus was issued by the Division Bench, on its clarification subsequently, it has been reversed, nonetheless the prayer if any, made by the petitioner for renewal would be considered and disposed of in accordance with law.

Mr. Mritunjay Kumar, on instructions from the petitioner, informs that an application for renewal of the lease with effect from 22.4.2017 has since been filed together with the draft .

Having noted the circumstances existing and since no contempt subsists, we dispose of this contempt application with the advice to the District Magistrate, Patna to consider the renewal application filed by the petitioner and dispose it of in accordance with law within a period of three months from today.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Archana/
Surendra/-

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