

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24127 of 2018

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Md. Sikandar Azam Khan son of Late Md. Noman Ahmad Resident of Kakim
Amir Hussain Lane, P.O. and P.S.- Tatarpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Principal Secretary, Revenue and Land Reform, Government of Bihar, Old Secretariat, Bailey Road, Patna.
2. The Director, Land Records and Survey Government of Bihar, Old Secretariat, Bailey Road, Patna.
3. The District Magistrate Cum Collector Bhagalpur.
4. Sub Divisional Officer (SDO) Sadar Bhagalpur.
5. The Circle Officer (CO), Jagadishpur Bhagalpur.
6. The SHO, Barari P.S. Bhagalpur.
7. The Bihar Urban Infrastructure Development Corporation Ltd. (BUIDCO) through the Managing Director, 2nd Floor, Khadya Bhawan, Road No. 2, Daroga Prasad Rai Path, R- Block, Patna- 800001.
8. Bihar State Housing Board, 6 Sardar Patel Marg, Patna- 800015.
9. Bihar State Housing Board Barari, Bhagalpur- 812003.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Respondent/s : Mr.Rishi Raj Sinha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 19-07-2019 This writ application has been filed seeking setting aside of *Press Release* (PR) No. 10048 (Revenue) 2018019 issued by the Collector-cum-Settlement Officer, Bhagalpur published in 'Dainik Bhaskar' Newspaper dated 13.10.2018, whereby certified copy of the order dated 27.01.1986 in Case No. 02 of 1985 has been declared to have been fraudulently issued and obtained.



2. It has been stated in the writ application that the said certified copy was validly issued and has been wrongly held to have been fraudulently issued, in the *Press Release*. It has also been stated that the said *Press Release* gives unnecessary and undue advantage to respondent No.7 against whom the petitioner has filed a Title Suit No. 05 of 2017, which is still pending.

3. In paragraph 14 of the writ application it has been stated that the said impugned *Press Release* has been issued without giving the petitioner an opportunity of hearing.

4. Though a counter affidavit has been filed on behalf of the Bihar Urban Infrastructure Development Corporation Ltd., it does not, however, comments upon the petitioner's claim.

5. In the facts and circumstances of the case noted above, this application is disposed of with a direction to the Collector, Bhagalpur to take a fresh decision on the question as to whether the said certified copy is fraudulent or not after giving the petitioner an opportunity of being heard. A notice to this effect must be issued by the Collector within one month from today and a decision must be taken within two months thereafter.



6. Till final decision is taken by the Collector in compliance of the present order, the petitioner shall not use the certified copy of the order dated 27.01.1986 in Case No. 02 of 1985, for any purpose whatsoever.

7. This application is, disposed of accordingly.

(Chakradhari Sharan Singh, J)

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