

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13283 of 2019

1. Bar Association Daudnagar, Aurangabad through its Secretary Baidnath Prasad (Male, aged about 60 years), S/o Late Jagdish Prasad, resident of Village- Bakharua More, Daudnagar, P.O. and P.S.- Daudnagar, District- Aurangabad.
2. Kumar Shivendra ((Male, aged about 59 Years), Vice President, Daudnagar Bar Association, S/o- Late Ram Das Sinha, resident of Village- Tilakpura, P.S.- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar the Chief Secretary, Government of Bihar, Patna.
2. The Legal Remembrances, Department of Law, Government of Bihar, Patna.
3. The Commissioner-cum-Secretary, Revenue Department, Government of Bihar, Patna.
4. The Commissioner-cum-Secretary, Finance Department, Government of Bihar, Patna.
5. The Principal Secretary, Agriculture Department, Government of Bihar, Patna.
6. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
7. The District Magistrate, Aurangabad, District- Aurangabad.
8. The Sub Divisional Magistrate, Daudnagar, District- Aurangabad.
9. The Circle Officer, Daudnagar, District- Aurangabad.
10. The High Court of Judicature of Patna through the Registrar General, Patna High Court, Patna.
11. The Civil Court Aurangabad through The District Judge, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Choubey, Advocte Mr. Jainandra Kumar, Advocate
For the Respondent/s	:	Mr. Lalit Kishore (Ag) Mr. Satyabir Bharti, Adv. Mr. Vikash Kumar, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 01-12-2020



Writ petition in form of Public Interest Litigation is filed for quashing the notice dated 22.04.2019 by which a general notice was issued to certain raiyats for acquisition of their lands for extension of Civil Court building at Daudnagar, Aurangabad in spite of the fact that in earlier writ petition being C.W.J.C. No. 3620 of 1999 it was informed by State Officials that 25 acres of land belonging to Agriculture Department had been handed over to the Building Construction Department for said purpose.

Earlier also writ petition being C.W.J.C. No. 21870 of 2011 was filed which was disposed of on 21.12.2015 thereafter a writ petition being C.W.J.C. No. 15942 of 2016 was filed which was disposed on 29.06.2017 on the ground that the High Court on the administrative side is seized of the matter and necessary steps are being taken for construction of the court building.

From the records, it appears that Agriculture Department had refused to issue No Objection Certificate with regard to 2.10 acre of land for construction of Sub-Divisional Court at Daudnagar, Aurangabad, Agriculture Department in its affidavit has stated that there was never any proposal by Agriculture Department to grant N.O.C. over 25 acres of land



belonging to Agriculture Department in Daudnagar, Aurangabad. The proposal of granting 3 acres of land adjacent to present court building also did not materialized. under such circumstances 9.70 ¾ acres of land of Mouza- Ghuma, Thana No. 49, as recommended by District and Sessions Judge, Aurangabad and District Administration, Aurangabad was found most suitable for construction of building. Fund for construction of building has already been released by the State Government.

As Hon’ble High Court on its administrative side is seized of the matter and required steps are being taken for construction of court as well residential building, no purpose will be served by continuing present proceeding, accordingly writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

