

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16934 of 2021

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Santosh Kumar Son of - Vijay Singh Resident of - Sabalpur, Post office and Police Station - Rajgir, District- Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar through secretary department of Tourism and Development, Bihar, Patna.

Bihar State Tourism Development Limited, an undertaking own and control by state of Bihar through its Managing Director, Veerchand Patel Path, Patna.

The Managing Director, Tourism Development Corporation, Patna Bihar.

The General Manager, Bihar State Tourism and Development Corporation, Patna, Bihar.

The Additional Managing Director, Bihar State Tourism and Development Corporation, Patna, Bihar.

The Manager Hoteland Lease, Bihar State Tourism Development Corporation, Patna, Bihar.

Incharge Rope Way, Rajgir, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Krishna Mohan Mishra, Adv.

For the Respondent/s : Ms. Anukriti Jaipuriyar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-10-2021 The present writ petition has been filed seeking the following reliefs:-

“i. To quash and set aside the notice issued by the respondent dated 03.09.2010 contain in letter no. 1448/2021 whereby and where under the petitioner has been directed to deposit the amount of lease premium for third and last year and also to vacate the shop situated near ropeway at Rajgir (District Nalanda) from 02.10.2021.

ii. To issue appropriate writ directing the



respondent to extend the period of contract for further three years on same terms and condition incorporated in agreement as the petitioner was not able to operate the shop due to spread of coronavirus but has paid license fee to the corporation.

iii. To direct the respondent to not to cancel/ terminate the lease agreement from 02.10.2021 because the petitioner has made substantial investment of Rs. 500,000/- and odd in construction of shop, as such, termination of lease would cause heavy loss to the petitioner.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent No. 3 i.e. the Managing Director, Bihar State Tourism Development Corporation, Patna, Bihar for redressal of his aforesaid grievances.

The learned counsel for the Respondents Ms. Anukriti Jaipuriyar submits that in case the petitioner approaches the respondent Corporation, the respondent Corporation would definitely consider the representation and pass appropriate orders, in accordance with law, however, she submits that lease period of the petitioner's shop has already expired on 2nd October, 2021, hence, the petitioner has got no right to stay in the premises in question and is required to vacate the same.



Having regard to the facts and circumstances of the case, the present writ petition stands disposed of as not pressed, however, with liberty to the petitioner approach the respondent no.3 for redressal of the aforesaid grievances.

(Mohit Kumar Shah, J)

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