

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2377 of 2022**

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Madan Jindal S/o Late Rameshwar Dass Jindal Resident of 706 Part 2, Sector 15, Gurgaon, P.S., District- Gurgaon, Haryana -122001.

... .. Petitioner/s

Versus

1. The State of Bihar Through, Collector, Nalanda.
2. The District Magistrate - Cum- Collector, Nalanda.
3. The D.C.L.R., Nalanda.
4. The Circle Officer, Noorsarai, District- Nalanda.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rajiv Verma, Sr. Advocate  
For the Respondent/s : Mrs. Nutan Sahay, AC to AAG-12

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      22-02-2022                      Heard Mr. Rajiv Verma, learned senior counsel for the petitioner and Mrs. Nutan Sahay, learned AC to AAG-12 for the State.

The petitioner has purchased a piece of land at Mauza Rasalpura, Tola Karanbigha, P.S. Noorsarai, Biharsharif, Distt. Nalanda, details of which, have been mentioned in paragraph 6 of the writ application involving a total area of 6 decimal.

The petitioner under the Public Private Partnership Scheme floated by FCI in collaboration with Bihar State Warehousing Corporation submitted his tender and was awarded the work for construction of a godown on the land purchased by the petitioner in the year 2013. Thereafter, a lease agreement



was executed as per Public Private Partnership Scheme between the petitioner and the Bihar State Warehousing Corporation on 28.11.2013, and since then, the foodgrains are being stored in the godown constructed upon the subject land.

Learned senior counsel for the petitioner submits that on complaint before Sub Divisional Public Grievance Redressal Authority, Bihar Sharif, a proceeding for encroachment to the extent of 6 decimal of the subject land was initiated. However, the Sub Divisional Public Grievance Redressal Authority, Bihar Sharif, transferred the proceeding before the Circle Officer, Noorsairai, Bihar Sharif, Nalanda, who passed the final order after deciding the objection submitted by the petitioner. Aggrieved by the aforesaid order, the petitioner preferred an appeal before the learned Collector, Nalanda at Bihar Sharif vide Appeal No. 04/2020 which is still pending. Learned counsel further submits that the petitioner has also filed the stay petition before the appellate authority. However, the petitioner has reasonable apprehension that some part of the godown and its boundary wall will be demolished by the competent authority pursuant to the final order passed by the Circle Officer, Noorsairai, inasmuch as some portion of the boundary wall has already been demolished.



Having heard learned counsel for the parties and taking into consideration the fact that the appeal preferred by the petitioner is pending before the District Magistrate, Nalanda, at Biharsharif (Respondent No.2), he is directed to dispose the appeal filed by the petitioner within a reasonable period of time preferably within a period of four months from the date of receipt/production of a copy of this order.

With aforesaid observation/direction, this writ application stands disposed of.

It is made clear that till disposal of the appeal, the status-quo existing as of today shall be maintained by the parties.

**(Anil Kumar Sinha, J)**

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