

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.854 of 2016

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1. Mira Yadav W/o Late Ashok Kumar Yadav, resident of Aasha Deep Apartment, 3rd Floor, T.N. Mukharjee Road, South Subhash Pally, P.S.- Dankuni, District- Hooghly- 712331.
 2. Abhay Kumar Yadav S/o Late Ganesh Lal Yadav
 3. Prabhat Kumar Yadav S/o Late Ganesh Lal Yadav
 4. Pravin Kumar Yadav S/o Late Ganesh Lal Yadav All are resident of 272/C, Chitranjan Avenue, P.S.- Jora Sonku, District- Kolkata.

... .. Petitioners

Versus

1. The State Of Bihar,.
2. The Commissioner-cum-Secretary, Department of Land and Revenue, Govt. of Bihar, Patna.
3. The District Magistrate, Patna
4. The Land Acquisition Officer, Patna.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Rajendra Narayan, Senior Advocate Mr. Kripa Nand Jha, Advocate
For the Respondents	:	Mr. Sarvesh Kumar Singh, AAG-13

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

9 26-07-2022

Ref:- Interlocutory Application No. 01 of 2021

This Interlocutory Application has been filed for substitution of heir and legal representative of petitioner no.1- Mira Yadav, who has died on 09.10.2019 leaving behind her heir and legal representative namely, Vikram Yadav, whose details have been mentioned in paragraph no.4 of this Application.



This Interlocutory Application is allowed. The heir and legal representative of petitioner no.1- Mira Yadav, namely, Vikram Yadav, as detailed in paragraph no.4 of this Interlocutory Application, be substituted in her place and the name of petitioner no.1 be expunged from the array of the parties.

Ref :- C.W.J.C. No. 854 of 2016

Heard the parties.

Learned counsel for the petitioners prays for and is permitted to add the Circle Officer, Sadar, Patna, as respondent no.5 to this writ petition.

A supplementary counter affidavit has been filed on behalf of respondent nos. 3 and 4.

From perusal of paragraph no.10 of the aforesaid supplementary counter affidavit as well as the letter dated 05.07.2022, it appears that the land of the petitioners is not under acquisition and therefore, the State is not required to pay any compensation.

In that view of the matter, since the Jamabandi is in the name of the petitioners, the State is bound to issue rent receipts after accepting the rent from the petitioners.

The Circle Officer, Sadar, Patna is directed to



accept the rent from the petitioners and issue rent receipts in their favour.

With the aforesaid observations and directions, this writ petition stands disposed of.

(Sandeep Kumar, J)

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