

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18688 of 2021

Kumar Amrit Raj, Son of Sri Ganga Nath Ray, Resident of
Mohalla - New Colony, Naya Bazar, Ward No. 9, P.S. - Saharsa
Town, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Revenue, Government of Bihar, Old Secretariat, Patna.
2. The Commissioner, Koshi Division, Saharsa.
3. The Chairman and Trustee of Sri Raktkali Chousath Yogini Mandir Trust, Saharsa - Cum - District Magistrate, Saharsa.
4. The District Magistrate, Saharsa.
5. The Deputy Development Collector, Saharsa.
6. The Incharge Deputy Collector, General Administration, Saharsa.
7. The Secretary of Sri Raktkali Chousath Yogini Trust - Cum - Sub - Divisional Officer, Sadar Saharsa, District - Saharsa.
8. The Sub-Divisional Officer, Sadar Saharsa, District - Saharsa.
9. The Executive Officer, L.A.I.O., Saharsa, District - Saharsa.
10. The Executive Officer, Nagar Parishad, District - Saharsa.
11. The Executive Engineer, Building Construction Department, District - Saharsa.
12. Sri Balram Dev, the Deputy Chairman, Sri Raktkali Chousath Yogini Mandir Trust, Saharsa.
13. Sri Om Prakash Khemka, The then Treasurer, Sri Raktkali Chousath Yogini Mandir Trust, Saharsa.

14. Sri Mukteshwar Prasad Singh, Treasurer, Sri Raktkali Chousath
Yogini Mandir Trust, Saharsa.
15. Sri Kumar Heera Prabhakar, Member, Sri Raktkali Chousath
Yogini Mandir Trust, Saharsa.
16. Sri Bhola Prasad Gupta, Member, Sri Raktkali Chousath Yogini
Mandir Trust, Saharsa.
17. Sri Shambhu Prasad Tekriwal, Member, Sri Raktkali Chousath
Yogini Mandir Trust, Saharsa.
18. Sri Gorakh Lal Vishwas, Member Sri Raktkali Chousath Yogini
Mandir Trust, Saharsa.
19. Sri Niranjan Kumar, Member, Sri Raktkali Chousath Yogini
Mandir Trust, Saharsa.
20. Sri Vijay Poddar, Member, Sri Raktkali Chousath Yogini Mandir
Trust, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (G.P.18)

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

Date : 30-06-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That this writ application is being filed for issuance of an appropriate writ/writs, order/orders in the nature of certiorari for quashing of press release/tender notice bearing Memo No.1291-Saharsa dated 10.10.2021 (Annexure-10) issued under the signature of Respondent No.7, the Secretary, Sri Raktkali Chousath Yogini Mandir Trust, Saharsa-cum-Sub-Divisional Officer, Sadar, Saharsa (hereinafter referred as the Trust) by which Respondent No.7 has cancelled the earlier tender which was awarded in favour of the petitioner after adopting all process of settlement of Boating rights to ply the Boats/Nauka Vhar within Matsyagandha Jhil (eastern side) for the period of 2021-22 and further issued a notice for settlement of Boating rights/Nauka Vihar of the said Jhil giving details of the dates and manner by which settlement will be made, however, it is made clear that the settlement of the petitioner regarding plying for Boats has been cancelled without giving any notice to the petitioner, by violating all the norms of contract and further for issuance of a writ in the nature of

mandamus for directing and commanding the Respondents, particularly the Respondents No.3, 4 and 7 to issue PARWANA (work order) in favour of the petitioner in view of the settlement made by the Respondent No.7 and the deposit of complete revenue/Reserve Jama as decided has been deposited by the petitioner amounting to Rs.2,81,600/- on 27.9.2021 for the period of 2021-22 and allow the petitioner to work of Nauka Vihar as stated above smoothly without any hindrance by the authority for the ends of justice and equity and further any other appropriate relief/reliefs for which the petitioner is entitled in the facts and circumstances of this case.

Learned counsel for the petitioner states that the grievance of the petitioner has been redressed, and as such, the petition has become infructuous.

The instant petition stands disposed of as having rendered infructuous.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	