

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19004 of 2021

1. Niraj Kumar, aged about 40 years, Gender-Male, Son of Shyam Bihari Singh Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
2. Ajeet Kumar Singh, aged about 60 years, Gender-Male, Son of Muneshwar Prasad Singh Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
3. Abhay Kumar, aged about 56 years, Gender-Male, Son of Shyam Bihari Singh Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
4. Ajay Nandan Prasad Singh, aged about 66 years, Gender-Male, Son of Jamuna Nandan Prasad Singh Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
5. Binod Kumar, aged about 65 years, Gender-Male, Son of Bajrang Dev Prasad Singh Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
6. Hari Shankar Sharma @ Hari Shankar Prasad Shaswa, aged about 65 years, Gender-Male, Son of Dwarika Prasad Sharma Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
7. Dabarikeshdhari Sharma, aged about 71 years, Gender-Male, Son of Grisdhari Prasad Sharma Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
8. Sita Ram Singh (male) aged about 78 years, Son of Late Bhola Prasad Singh Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
9. Mantu Ram, aged about 32 years (male) Son of Yogindra Ram Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
10. Rajeev Kumar (male) aged about 36 years, Son of Ramanuj Prasad Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.
11. Vrihaspati Saw (male), aged about 41 years, Son of of Yogeshwar Saw Resident of Village Samyagarh, P.S. Samyagarh (O.P.) District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Department of Home, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Bihar, Patna.
4. The District Magistrate, Patna.
5. The Superintendent of Police, Rural, Patna.
6. The Sub - Divisional Officer, Barh, Patna.
7. The Sub - Divisional Police Officer, Barh, Patna.
8. The Block Development Officer, Ghoswari, District Patna.
9. The Circle Officer, Ghoswari, District Patna.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
Ms. Y Madhavi, Advocate
For the Respondent/s : Mr. Sanjay Kumar Ghosarvey, AC to AAG 3

**CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

7 23-08-2022 Heard learned counsel for the parties.

The present writ petition has been filed seeking a writ in the nature of mandamus to direct the respondent authorities not to shift Ghoswari Outpost from Samyagarh market to Kurmichak or any other place as in the Samyagarh land measuring an area 32 decimal has been donated in the name of the Governor, State of Bihar by the petitioner no. 6, way back in the year 2000 for construction of a Police Outpost Samyagarh.

A counter affidavit has been filed on behalf of the State. Paragraph no. 9 thereof reads as under:

“9. That it is pertinent to mention here that the Home Department vide letter no. 649, dated 25.01.2022 has informed that at present Samyagarh Outpost under Patna District has not been notified. As per the direction made by the said department, there is restriction on receiving land acquisition/perpetual lease for the construction of police station/Outpost which has not been notified. Thus decision has been taken to stay the administrative approval given in this regard and in view of this order has been issued for refund of 22,40,000.00 to the said



department. Accordingly, the land Acquisition Office, Patna vide letter no. 301, dated 11.02.2022 has informed the home Department that the amount of rupees 22,40,000.00 has not been withdrawn.”

In view of the stand taken by learned counsel for the State, in its counter affidavit, we feel that no cause of action survives in this petition at present.

The writ petition stands dismissed, at this stage.

(Rajan Gupta, J)

(Dr. Anshuman, J)

P. Kumar

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