

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15011 of 2022

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Gauri Shankar Viswakarma @ Gauri Shankar Prasad son of Ram Khelawan,
(Shop No. 89/115, Bazar Samittee, Ramchandrapur, Biharsharif), Resident of
Village + P.O. + P.S.-Noorsarai, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Agriculture Department,
Bihar, Patna.
2. The Managing Director, Agriculture Marketing Board, Patna, Office at Pant
Bhavan, Baily Road, Patna.
3. The District Magistrate, Nalanda.
4. The Sub-Divisional Magistrate-cum-Special Officer, Kishi Bazar Samiti,
Ramchandrapur, Biharsharif, Nalanda.
5. The Chairman, Agriculture Marketing Board, Ramchandrapur Bazar Samiti,
Biharsharif, Nalanda.
6. The Sub-Divisional Officer, Biharsharif cum Special Officer, Krishi Utpadan
Bazar Samiti, Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rudal Singh, Advocate
For the Respondent/s : Mr.Dhurjati Kr. Prasad (GP 14)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 11-11-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief(s) :-



“(i) For quashing the order/notice vide Letter No. 627 (Anu) dated 27-07-2021 (contained in Annexure-3 to this writ of petition) issued under the signature of Sub-Divisional Officer -cum -Special Officer, Krishi Utapadan Bazar Samiti, Biharsharif, by which Petitioner along along with others have been ordered to remove the self made construction and vacate Godam in the premises of Bazar Samiti till 28-08-2021, this letter/notice /order issued vide Memo No.23/वा० स० Biharsharif Dated 14-08-2021.

(ii) To stay the operation of the order/notice vide Letter No. 627 (Anu) dated 27-07-2021 issued under the signature of Sub-Divisional Officer-cum-Special Officer, Krishi Utapadan Bazar Samiti, Biharsharif on 14-08-2021 during the pendency of this writ application.

(iii) To pay Compensation for loss occurred due demolish the area 15x30 of the shop of the petitioner and damage materials in the shop/godown of the petitioner.

(iv) To any other relief/reliefs for which the Petitioner is entitled in law.”

In view of judgment dated 24.01.2022 passed by this Court in CWJC No. 15672 of 2021, titled as **Dinesh Prasad & Ors. Vs. The State of Bihar & Ors.**, (Annexure-4, Page 22) learned counsel for the petitioner, under instruction, seeks permission to approach Respondent No. 4, namely, The Sub-Divisional Magistrate-cum-Special Officer, Kishi Bazar Samiti, Ramchandrapur, Biharsharif, Nalanda for venting out his grievances in accordance with law.

Liberty, as prayed for, is granted.



Petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

chn/sujit

AFR/NAFR	
CAV DATE	
Uploading Date	15.11.2022
Transmission Date	

