

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2469 of 2022

In
Miscellaneous Jurisdiction Case No.237 of 2017

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M/s Bhagalpur Smart City Ltd. having its office At-Municipal Corporation Office, Court Compound, Bahgalpur, Bihar-812001 through its Managing Director namely Yogesh Kumar Sagar, Male, aged about 34 years, son of Sri Chhotey Lal.

... .. Petitioner/s

Versus

1. Jai Prakash Uddyan Sah Sandys Compound Vikas Samiti represented through its Present Secretary, Shri Rama Kant Jha, son of Late Jarab Lal Jha, residing at 164, Lal Bagh, Tilkamanjhi, P.S. Barari, District Bhagalpur.
2. The District Magistrate, Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Parasmani, Advocate
		Mr. Manish Kumar, Advocate
For the Opposite Party/s	:	Mr.Vikash Kumar, SC 11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-12-2022 The instant petition is for modification of the order dated 25.04.2018 passed in MJC No.237 of 2017 titled as **the State of Bihar v. Jai Prakash Uddyan Sah Sandy's Compound Vikas Samiti** arising out of an order dated 12.04.2005 passed in CWJC No.5822 of 2004 titled as **Jai Prakash Uddyan Sah Sandy's Compound Vikas Samiti v. The State of Bihar & Ors.**



Having considered the contents of the application, moreso, when the developmental activities in question are being carried out by special service vehicle, namely Bhagalpur Smart City Limited in terms of and under the Central Government sponsored scheme for development of cities as ‘Smart Cities’, we clarify that the present activity for development of sports complex and public utility service within the precincts of Sandy’s Compound is necessitated out of public purpose.

With the aforesaid clarification, the instant petition stands disposed of.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujit/PKP

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