

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19884 of 2016

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Dazy Kumari daughter of Sri Krish Nandan Singh Resident of Sri Krishna Yamha, Village-Harakh, P.O. Sudhir Nagar, Police Station-Begusarai, District-Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Urban Development Department, Govt. Of Bihar, Patna
2. The patna Municipal Corporation through its Commissioner, Patna
3. The Commissioner-cum-Patna Municipal Corporation, Patna
4. The Executive Engineer, Nutan Rajdhani Anchal, Patna Municipal Corporation, Patna
5. The Niagaree Builders and developers Pvt. Ltd., 503, 7th Floor, Adharsheela Complex, South Gandhi M
6. The Executive Engineer, North Capital Division, Patna
7. The Senior Superintendent of Police , Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shekhar Singh, Advocate
For the PMC	:	Mr. Bindhyachal Singh, Sr. Advocate
For the State	:	Mr. Suresh Kumar, AC to GP 1

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 08-12-2023

Heard Mr. Shekhar Singh, learned counsel appearing on behalf of the petitioner; Mr. Bindhyachal Singh, learned senior counsel appearing on behalf of the P.M.C. and Mr. Suresh Kumar, learned AC to GP 1 for the State.

2. Mr. Shekhar Singh, learned counsel appearing on behalf of the petitioner, submits that from perusal of the joint counter affidavit filed on behalf of the Collector, Patna and Additional Collector, Patna, duly sworn on their behalf by Circle Officer, Patna Sadar that measurement of plot



appertaining to Khata No.26 corresponding plot No.465 of Boring Canal Road was done by the Survey Amin, Patna Sadar.

3. Upon measurement it has been found that out of total area of 17 decimals of plot No.465 as per Khatyan 7 decimals of land now forms part of Boring Canal Road. Learned counsel further submits that as it is admitted now that 7 decimals of land is now part of Boring Canal Road and the said land as per the revenue record, stands in the name of Chappu Lal Rai, from whom the petitioner had bought, the petitioner seeks to avail remedy before the Divisional Commissioner, Patna, for attaining the informations, as to whether the original land holders were duly compensated or not, in case any acquisition proceeding was initiated in this regard. In alternative, considering the fact that it is admitted by the parties that the said land belongs to the Chappu Lal Rai from whom the petitioner had purchased the petitioner can avail appropriate remedy in accordance with law.

4. Considering the aforesaid submission made on behalf of the petitioner, the writ petition is disposed of. The Divisional Commissioner may take final decision and give proper information to the petitioner on the basis of record within



a period of three months.

(Purnendu Singh, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.12.2023
Transmission Date	NA

