

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6039 of 2023

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Shri 108 Shyama Jee Temple Darbhanga Raj Kameshwar Religious Trust,
Ganga Sagar, P.S.-Town, District-Madhubani through its Manager Kedar Nath
Mishra, Male, aged about 70 Years, S/o Late Mahashya Mishra, R/o Mohalla-
Shubhankarpur, New Colony, Bharti Kutir, P.O.-Shubhankarpur Chatariya,
P.S.-Town, District-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. Principal Secretary, Transport department, Govt. of Bihar, Patna.
4. District Transport Officer, Madhubani.
5. Bihar State Road Transport Corporation Limited through its Managing Director, Patna.
6. Managing Director, Bihar State Road Transport Corporation Limited, Patna.
7. District Magistrate, Madhubani.
8. Sub Divisional Officer, Sadar, Madhubani.
9. Circle Officer, Rahika, Madhubani.
10. Mahesh Prasad Choudhary, S/o not Known, Presently Working as Circle Officer of Rahika Block, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Baidya Nath Thakur, Adv.
For the BSRTC	:	Mr. Suman Kumar Jha, Adv.
For the Respondent/s	:	Mr.Raj Kishore Roy, GP-18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-05-2023 The present writ petition has been filed seeking the
following reliefs:-

“1(i). For direction to the Managing Director of
the Bihar State Road Transport Corporation
Limited, Patna not to sublet about 1 acre of the
leasehold property of Shri 108 Shyama Jee



temple of the Darbhanga Raj Kameshwar Religious Trust, Ganga Sagar, P.S.-Town, District-Madhubani to the District Transport Office, Madhubani for construction of a Motor Driving Training Track over there as the lessee has no power to sublet or create third party right with respect to the same.

(ii). For direction to the Principal Secretary, Revenue & Land Reforms Department, Govt. of Bihar, Patna to initiate a departmental proceeding against the Circle Officer of Rahika Block, Madhubani for exceeding his jurisdiction with mala fide intention in the matter of demolishing 22 shops of the petitioner running on its own land without initiating a proceeding under the provisions of the Bihar Public Land Encroachment Act, 1956 or complying with the principles of natural justice.

(iii). For payment of compensation of Rs. 50 lakhs to the petitioner for illegal demolition of its 20 shops running on its own land without initiating a proceeding under the provisions of the Bihar Public Land Encroachment Act, 1956 or complying with the principles of natural justice.”

After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other



alternative remedies as are otherwise available under the law.
Liberty, so sought, is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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