

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7816 of 2022

1. Kashi Nath Upadhyay son of Late Ram Bayash Upadhyay, Resident of Village- Parsathua P.S.- Kochas, District- Rohtas at Sasaram.
2. Rabindra Nath Upadhyay son of Late Ram Bayash Upadhyay, Resident of Village- Parsathua P.S.- Kochas, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Revenue and Land, Govt. of Bihar, Patna.
2. The Secretary Bhawan Nirman Nigam, Patna.
3. The Secretary Police Building, Construction Department Patna.
4. The Collector cum District Magistrate, Rohtas at Sasaram.
5. The Deputy Collector of Land Reforms, Sasaram at Sasaram.
6. The Circle Officer, Kochas, Anchal Kochas District- Sasaram.
7. The Superintendent of Police Rohtas at Sasaram.
8. The Officer in Charge Kochas Parsathua (O.P.)

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Respondent/s : Mr. Raj Kishore Roy, GP-18

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 21-07-2023

1. Heard learned counsel for the parties.
2. The case of the petitioners is that the land in question appertaining to Khata no.197, Plot no. 875, 876



measuring a total area of 1.00 acre in Mauja- Parsathua in Circle- Kochas in the District- Sasaram which is a Government land and the nature of which is described as '*Sarv Sadharan*' has wrongly been given by the Circle Officer, Kochas for construction of the building of police station. As such the petitioner prays for commanding the respondent nos.1 to 7 to take steps for stopping the work of the construction.

3. Having perused the material on record, it transpires that information about the land having been given by the Circle Officer for construction of the police station, on an application filed by the petitioner was provided to him more than 5 years ago in May, 2018. The instant application having been filed after an inordinate delay on 24.5.2022, the matter in issue relating to construction of building of police station which may already have substantially progressed, if not already completed, this Court does not find any good reason for granting the relief as prayed for by the petitioner in this application.

4. It may also be noted here that although specific allegations have been levelled against the Circle Officer of incorrectly providing the land for purpose of construction of the police station building, the Circle Officer concerned has not



been made party herein by name.

5. For the aforesaid reasons, the Court finds no merit in the instant application and the same is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	02.08.2023.
Transmission Date	N/A

