

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9351 of 2022

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Ratnesh Prasad Singh (Secretary, Indian Red Cross Society, Siwan), S/o Sri Biresh Singh, r/o near over bridge Laxamipur, Andar dhala, PS Siwan town, district Siwan, at present Indian Red cross society sadar hospital, PS Siwan town, district Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna Bihar.
2. The Chief Secretary, Government of Bihar, Old Secretariat ,Patna, Bihar.
3. The Commissioner, Saran Division, District Saran at Chhapra.
4. The District Magistrate, Siwan, District Siwan.
5. The District Magistrate Siwan cum Chairman, Indian Red Cross Society, Siwan.
6. The Executive Engineer, Building Division Siwan, District Siwan.
7. The DCLR, Siwan, District Siwan.
8. The Circle Officer Siwan, District Siwan.
9. Gulam Moinuddin Khan, S/o Rashid Khan, R/o Naya Quila Siwan, PS Siwan Town, District Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Chandra Kant, Advocate
For the State	:	Mr.Rishi Raj Sinha, S.C.-19 Mr. Birendra Prasad Singh, A.C. to S.C.-19
For Respondent No.7	:	Mr.Vindhyachal Singh, Sr. Advocate Mr.Vijay Shanker Tiwari, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

7 27-02-2023 The present writ application has been filed by Ratnesh Prasad Singh, who claims to be Secretary of Indian Red Cross Society, Sadar Hospital, Siwan.

From the statement made in paragraph 3 of the writ



application, it appears that the petitioner resides presently in the premises of Indian Red Cross Society. He has filed the present writ application in the nature of Public Interest Litigation seeking direction to the State-respondents to ensure safety of property as well as the premises of the Indian Red Cross Society building situate at the land of Sadar Hospital, Siwan from encroachers or strangers and as also, direction to the Deputy Collector Land Reforms, Siwan and the Circle Officer, Siwan not to entertain any application of any third person to measure the land.

We fail to understand the circumstance in which the petitioner is seeking from this Court direction of a kind restraining the respondents from entertaining any application of any third person to measure the land over which the Red Cross Society building is situated.

Learned counsel appearing on behalf of the petitioner has submitted that the building of the Red Cross Society is located at the land, as was provided by the District Magistrate, Siwan and therefore it is a Government land.

The Respondent No.9 is, however, claiming his title over the vacant land in the premises.

There is apparent dispute regarding title of the parties



regarding the land in question.

We are not inclined to interfere in the matter in a proceeding under Article 226 of the Constitution of India filed in the nature of Public Interest Litigation.

The parties shall be at liberty to approach competent court of law for relief as they may deem it to be fit and proper.

We, however, consider it desirable to observe that the District Magistrate, Siwan shall make endeavour so that the Red Cross Society is functional in the District of Siwan.

This writ application stands disposed of.

(Chakradhari Sharan Singh, ACJ)

(Madhuresh Prasad, J)

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