

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20780 of 2013

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Dhirendra Kumar S/O Kailash Prasad Resident Of New Area, Kadamkuan,
Khas Mahal Plot No. 32, Block-A, P.O and P.S- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Revenue and Land Reforms, Patna.
2. The Additional Secretary, Department Of Revenue And Land Reforms, Patna.
3. The Collector, Patna.
4. The Addl. Collector Revenue, Patna.
5. The District Sub Registrar, Department Of Registration, Patna.
6. The Circle Officer, Patna Sadar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan, Advocate
For the Respondent/s : Ms.Namrta Mishra, GP-17

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-03-2023 The present writ petition has been filed seeking the following reliefs:-

"(i) Quashing the notice dated 12.01.2013 (Annexure- 8) issued by the Respondent no. 5 regarding Encroachment case no. 15/2012-13 whereby the petitioner and his vendor has been asked to file show cause as to why their encroachment on the land in question be not removed under Bihar Public Land Encroachment Act, 1956.

(ii) Quashing of Letter No. 6/Khas Mahal / Patna-3/ 2010-163 (6) / Rev. Dated 11.02.2010 as contained in Annexure-4 issued by



Respondent No.2 to respondent Nos. 3 regarding cancellation of original lease (Annexure-1) regarding petitioner's lands and consequent acquisition thereof in terms of provision of Khas Mahal Manual.

(iii) Quashing of memo no. 1019 (Revenue dated 20.03.10 (Annexure-5) and Memo no. 1020 (Rev) dated 20.03.2010 (Annexure-6) both issued by the Respondent no. 3 informing about cancellation of original Lease (Annexure-1) pertaining to Khas Mahal Plot No. 32, Block A, New Area, Kadam Kuan, measuring 2 katha 2 dhurs contrary to the terms and tenure of lease deed dated 28.02.1936 (Annexure -1) on account of unauthorised Sale Vide Annexure- 2 with direction to the vendor of the petitioner to hand over the said land with structure in favour of Respondent no. 5."

At the outset, the learned counsel for the petitioner submits that since the encroachment proceedings have already been concluded, the petitioner be granted liberty to file appropriate appeal.

Liberty so sought is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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