

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19634 of 2021

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Ram Lakhan Prasad Son of Late Bhagwan Lal Sah, Resident of Village
Kanhauli, Police Station- Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Animal Husbandry, Government of Bihar.
4. The District Magistrate, Sitamarhi.
5. Director, Animal Husbandry Department, Patna.
6. The District Animal Husbandry Officer, Sitamarhi.
7. The Sub Divisional Officer, Sitamarhi, District Sitamarhi.
8. The Circle Officer, Sonbarsa Circle, District Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ravi Shanker Pankaj, Advocate
For the State	:	Mr.Raj Kishore Roy (GP-18)
	:	Ms.Perna Anand, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 24-03-2023 The present writ petition has been filed seeking the
following relief:-

*"That, this writ Application is being filed for
issuance of writ/writs, order/ orders, Command/
commands, direction/ directions and for issuance
of a writ in the nature of prohibition, restraining
the Government of Bihar either to construct the
veterinary Hospital or in alternative of not return
back of the land to the donee's family and further
prays for a direction to the state Respondent*



Authority to vacate the land from scrupulous persons who grab the land and misusing the property by way of mischievous Act, Petitioner further prays for ensuring the land which was donated by the father of petitioner for the benefit of animals of farmers of the area and further prays for to vacate the unauthorized construction made by the different people and in failure of the use and utilization of the land, donated for the purpose of benefit of the society, be returned forthwith the petitioner's family being the Title holder of the land till date and further prays for any other relief/reliefs for which petitioner found entitled be also given in the fact and circumstances of this case."

The District Magistrate, Sitamarhi has filed a counter affidavit, wherein it has been stated that the father of the petitioner, namely, Bhagwan Lal Shah had made a voluntary gift on 03.01.1960 of his 30 decimals of land appertaining to Plot No. 173-174, Tauzi No. 3828 at Kanhauli Bazar, for the purpose of establishing public field veterinary dispensary shade, public school, other public institution, including vegetable or fruit market, Dairy, carpentry, smithing and other necessary departments and dwelling, in the name of Governor of Bihar (successor in office) by way of a registered deed.

The learned counsel for the respondent-State has



further submitted that after transfer of the aforesaid land to the Government, structures were constructed and erected on the said premises and the same is being used as veterinary center by the BAHO (Block and Animal Husbandry Officer) and the Veterinary Department conducts camp at the said premises for looking after the livestock and providing medicines.

Thus, it is clear that the premises in question, is being used for welfare of the animals, as also, it is stated, that the said premises has been chosen for being used by the Prakhand Sabzi Utpadan Sahyog Samiti.

Lastly, the learned counsel for the respondent-State has submitted that the District Magistrate, Sitamarhi undertakes to use the land, donated by the grandfather of the petitioner, for the purposes mentioned in the gift deed. It is directed, accordingly.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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