

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17432 of 2022

Singh Bio Fuel Services through its Proprietor Arun Kumar Singh aged about 53 years (Male) Son of Late Daroga Singh, Resident of Village- Rahra Police Station- Barun (O.P.) Nabinagar District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate cum Collector, Aurangabad.
5. The Additional Collector, Aurangabad.
6. The Sub Divisional Officer, Sub Division, Aurangabad.
7. The Deputy Collector Land Reforms, Aurangabad.
8. The In- charge, General Section, Aurangabad.
9. The Circle Officer, Circle Nabinagar, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amresh Kumar Sinha, Adv. Mr. Anirudh Kumar Verma, Adv.
For the Respondent/s	:	Mr. Raj Kishore Roy (Gp 18) Mr. Navnit Kumar, AC to GP 18

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

5 05-12-2023 Learned counsel appearing on behalf of the petitioner has stated that the petitioner has applied for grant of ‘NOC’ on 17.10.2020 but till date authorities concerned has not passed any orders. Learned counsel has stated that the authorities concerned may be directed to pass necessary orders on the application made by the petitioner duly giving an opportunity of hearing.

2. Per contra the learned counsel appearing on behalf of the respondents has stated that in the counter affidavit filed



by the respondents, the authorities concerned have taken a stand that the land for which the petitioner has applied for “NOC” is “Gairmajarua Malik Jamin” and it would not be appropriate to issue “NOC”. Further learned counsel has stated that the direction may be given to the authorities concerned for passing orders on the application made by the petitioner.

3. Without going into the merits or demerits of the case, having regard to the facts that the application made by the petitioner for issuance of “NOC” is pending since 17.10.2020, the authorities concerned shall pass necessary orders on the application made by the petitioner. In case, the petitioner is so advised, he shall file necessary documents to substantiate that the land is in his possession since time immemorial. Before passing any order, the authorities concerned shall put the petitioner on notice. On receipt of the notice, the petitioner shall file the requisite documents, thereafter the authorities concerned shall pass necessary orders strictly in accordance with law.

4. It is needless to mention that before passing any order, the petitioner shall be given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of this order. Any order passed shall be communicated



to the party.

5. With the above direction, the present writ petition stands disposed off.

(A. Abhishek Reddy , J)

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