

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4592 of 2021

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Dhananjay Kumar Suri S/o Late Ramjatan Prasad R/o Khagra, Ward no. 32,
P.S. and District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar, Through Additional Chief Secretary, Revenue and Land Reforms.
2. The District Magistrate, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Respondent/s : Mr. Mukul Prasad, A.C. to G.P.-18

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 23-09-2024 Heard learned Counsel for the petitioner and learned

Counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-

(i) For issuance of a writ in the nature of certiorari quashing letter issued under the signature of the Collector Kishanganj herein Respondent No.-2 vide memo no 1061 dated 26.12.2020 whereby and whereunder the said Respondent has directed the petitioner to deposit due amount of Rs. 26, 35, 200/- in lieu of sairat settlement done in favour of the petitioner for Khagra Revenue Haat & Gudri under jurisdiction of Kishanganj circle office. The said demand of respondent is against the principle of natural justice whereby Respondents are aware that petitioner's business has been non-operational due to covid-19 and consequential nationwide lockdown.



(ii) For issuance of a writ in the nature of Prohibition restraining the Respondents from invoking settlement of Khagra Revenue Haat & Gudri done with the petitioner.

(iii) For issuance of appropriate direction/directions to the Respondents to reconsider the bid amount in light of the fact that petitioner has incurred huge loss due to lockdown and to consider the representation dated 08.08.2020 and 12.09.2020 given by the petitioner.

(iv) For any other relief/reliefs for which the petitioner is entitled for.

3. Learned Counsel for the State submits that in compliance of the order dated 02.09.2024, a second supplementary counter affidavit has been filed on behalf of the Respondent No. 2 stating therein that in the light of letter no. 86(9) dated 08.03.2021 of the Revenue and Land Reforms Department, Bihar, Patna, a meeting of three members Committee under the chairmanship of the Additional Collector, Kishanganj for remission of settled amount has been held on 14.08.2024 in which it was recommended by the Committee to provide a remission of Rs. 14,20,200/- (Fourteen Lakh Twenty Thousand and Two Hundred Rupees) to the writ petitioner and



the report of Committee has been sent to the concerned Respondent for approval and the same was sent to the Divisional Commissioner, Purnia Division, Purnia with recommendation vide letter no. 1704 dated 16.08.2024 and the Divisional Commissioner, Purnia Division, Purnia after due consideration has made some query with respect to recommendation of the Committee thereafter, the Committee has again sent a reply to the query of the Divisional Commissioner, Purnia vide letter no. 1998 dated 09.09.2024 and the Divisional Commissioner vide letter no. 4110 dated 13.09.2024 rejected the remission of the proposal of the writ petitioner on the ground that evidences and proof provided by the petitioner is not sufficient enough to establish proposed loss.

4. With the aforesaid observations, the writ petition stands disposed of with the liberty to the petitioner to challenge the action of the learned Divisional Commissioner, Purnia Division, Purnia in an appropriate proceeding.

(Rajesh Kumar Verma, J)

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