

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17284 of 2021

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Rakesh Kumar Sharma Son of Late Ramanand Sharma Resident of Village - Sinduari, P.S. - Konch in the District of Gaya, Presently residing at Dr. Zakir Husain Institute Campus, Hartali More, Bailey Road, P.S. - Kotwali, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Art, Culture and Youth Department, Government of Bihar, Patna.
3. Deputy Secretary, Art, Culture and Youth Department, Government of Bihar, Patna.
4. The Director, Student and Youth Welfare, Art, Culture and Youth Department (Archaeological Directorate) Government of Bihar, Patna.
5. The Collector, Gaya.
6. Executive Officer, Nagar Panchayat, Tekari, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Advocate Mr. Arya Achint, Advocate Ms. Supragya, Advocate
For the Respondent/s	:	Mr. Dhurjati Kr. Prasad (GP-14)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 22-04-2024 Heard Mrs. Nivedita Nirvikar, learned Senior counsel appearing on behalf of the petitioner, Mr. Ashok Kumar, representing the Nagar Parishad, Tekari and Mr. Dhurjati Kr. Prasad, learned GP-14.

2. This order be read in continuation of the detailed order dated 18.03.2024 where the facts were incorporated before the issuance of notice upon newly added respondent, the Nagar Parishad, Tekari.

3. Pursuant thereto, the Nagar Parishad, Tekari has



filed counter-affidavit and learned Senior counsel appearing on behalf of the petitioner took this Court to para-10 which reads as follows:-

“10. that, the status-quo on the land in question is desirable to be maintained and the petitioner is not legally entitle to make any construction over the land in question and is only entitle to carry out agricultural activities only till any further order and disposal of the title suit pending before the competent court of law.”

4. She submits that it was exactly the case of the petitioner and in a fight between the Nagar Parishad, Tekari and the petitioner, the Collector, Gaya poked his nose by putting a board on the land forcing him to invoke the writ jurisdiction. Now, that the Nagar Parishad, Tekari itself has acknowledged that the petitioner is entitled to do his agricultural work on the land till the final decision of Title Suit No. 776 of 2017, the writ petition can be disposed of.

5. In view of the averment on record/the counter-affidavit of the Nagar Parishad, Tekari that the petitioner is entitled to do his agricultural work on the land in question till



the final disposal of Title Suit No. 776 of 2017, taking note of the said paragraph-10 of reply, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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