

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19933 of 2018

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Bijay Kumar Sah Son of Late Bageshwar Prasad Sah, Active Worker,
Bhoodan Yugna Committee Sultanganj Branch, District Bhagalpur, Resident
of Village- Binobanagar, Sultanganj, P.S. Sultanganj, District Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Bhagalpur.
3. The Deputy Superintendent of Police Law and Order, Sadar, Bhagalpur.
4. The Sub- Divisional Magistrate, Sadar, Bhagalpur.
5. The Anchal Adhikari, Sultanganj, Anchal Sultanganj, District Bhagalpur.
6. The Block Development Officer, Anchal, Sultanganj, District Bhagalpur.
7. The S.H.O. Police Station Sultanganj, District Bhagalpur.
8. The Office Secretary, Bhoodan Yugna Committee, Bhagalpur, District Bhagalpur. null null

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amar Nath Mishra, Adv.
For the Respondent/s	:	Mr. Rajni Kant Singh, Adv.
For the State	:	Mr. Manoj Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-09-2025 Heard Mr. Ashutosh Jha, learned counsel for the
petitioner, the State as also for Bhoodan Committee.

2. The present application has been preferred for the
following relief(s):

*(i) issuance of appropriate writ,
order/direction in the nature of Certiorari for
quashing of Letter No. 1188 dated 11.9. 2017
(Annexure-9) issued by the Sub Divisional
magistrate (Respondent No.4) Sadar, Bhagalpur
by which it was directed to the Anchal Adhikari
Sultanganj to stop Durga Puja or any*



programme/ construction over the Bhoodan lands on the application made by a stranger, Ramesh Pd. Yadav as there is status quo over the said lands by this Hon'ble court passed in C.W.J.C., No. 13627/2015;

(ii) issuance of appropriate writ, order/direction in the nature of Mandamus Commanding the respondents to allow and give permission/licence to the of petitioner being Parcha Holder Bhoodan lands to install Pratima of Mata Durga and observe Durga Puja said to be held from 10th of October 2018 on the open lands situate on Khata No. 92 Plot No. 92 area 12 dec. of lands Khata No. 92 Khesra No. 304 area 21 deac. And Khata No. 92 Khesra No. 304 area 30 dec. Mouza Masadi, P.S. Sultanganj District Bhagalpur said to besettled in favour of Parcha Holders namely Swami Nirmal Baba, Sant Binoba Ashram Sanjiv and Kumar Chitranjan by the Bhoodan Yugna Committee, Bhagalpur as Durga Puja is being held on the aforesaid lands since the year, 2014 for which necessary license for holding Durga Puja had been given to the petitioner for the year, 2014, 2015 and 2016 but suddenly the respondent authorities took arbitrary action by not allowing Durga Puja on the Bhoodan lands since 2017 without assigning any cogent reasoning and therefore any action to it may be declared contrary arbitrary and callous and detrimental to the religious feelings of local people;



(iii) issuance of appropriate writ, order/direction Commanding the Respondents to grant licence for amusement and for enjoyment of the local people holding Tower Jhula, Brak Dance, meena Bazar, Boat Jhula, Kath Ghorwa, Dragan Train, Sawan Jhula and other means of amusement on the open lands belonging to Parcha Holders for which the petitioner is ready to pay requisite revenue to the Respondent authorities.

3. Both the respondents representing the State and the Bhoodan Committee jointly submit that with the passage of time, the prayer has become infructuous.

4. Learned counsel for the petitioner submits that he be permitted to approach appropriate authority.

5. That liberty is always there.

6. The writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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