

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11074 of 2016

Hira Lal Prasad @ Heera Lal Prasad Son of Sri Saryu Singh, Resident of Village- Pakari Bengali, P.S.- Town Siwan, District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Deputy Superintendent of Police, Danapur.
6. The Deputy Collector land Reforms, Danapur.
7. The Circle Officer, Danapur.
8. The Sub Divisional Officer, Danapur.
9. The Station House Officer, Rupaspur, Police Station, Danapur, Patna.
10. Sachhidanand Mishra, Son of Late Kapildeo Mishra, resident of Mohalla- Maruti Nagar, P.S.- Jakkanpur, District- Patna.
11. Late Rambah Mishra being represented by her husband Sri Sachchidanand Mishra, son of Late Kapildeo Mishra, resident of Mohalla- Maruti Nagar, P.S.- Jakkanpur, District- Patna.
12. Shanti Devi, Wife of Late Shivraj Sinha, resident of Mohalla- Janakdhari Lal Road, P.S.- Danapur, District- Patna.
13. Kharag Sahkari Grih Nirman Samiti, through the Secretary Bishwanath Mukherjee, Son of Sri Gorinath Mukherjee, resident of Mohalla- Budha Colony, P.S. Budha Colony, District- Patna and at present residing at Mohalla- 403 A Block, Maa Jageshwari Apartment, Near Nalanda Medical College, Kankarbagh Main Road, P.S.- Agamkuan, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Manoj Kumar Sinha, AC to Ex-GA-9

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-09-2025 No one appears on behalf of the petitioner though State is present.

2. The present petition has been preferred for the grant of following relief(s):

“(a) for issuance of an appropriate



Writ/Writs, direction/directions in the nature of Mandamus or order/orders requiring the respondents concern to restore peaceful possession in the light of the order of Divisional Commissioner, Patna passed in Appeal Case No.-01/2016 in its original shape and size as was existing prior to demolition of the dwelling House standing over the Plot forming part of the Appeal and further for direction upon the respondent State of Bihar to adequately compensate the petitioner for the illegal acts of the authorities, whereby the petitioner's dwelling house has been demolished under the ex-parte Orders of the DCLR, Danapur, without issuing notice and hearing the petitioner in collusion with the private respondents leaving the entire family of the petitioner to seek shelter on the street against the Constitutional mandate.

(b) for issuance of an appropriate Writ/Writs, direction/directions in the nature of Mandamus or Writs, Order or orders for holding an impartial enquiry and thereby fixing the



responsibility on the erring persons, who in collusion with the Private Respondents and without noticing the petitioner, directed demolition of the boundary wall as well as the dwelling House resulting in undue harassment and heavy financial loss to the petitioner on account of having, exercised the powers as conferred upon Civil Court without any authority of law and beyond the provisions of the Bihar Land Dispute Resolution Act, 2009.

(c) for further kind indulgence of this Hon'ble Court to look into the matter and the concerned respondents may be directed to produce all connected records for perusal for passing an appropriate order for ensuring payment of adequate compensation by quantifying the loss incurred to the petitioner.

(d) for any other relief/reliefs that the Hon'ble court may grant in the interest of the petitioner that may be deemed appropriate and necessary in this case.”



3. Learned State counsel has taken this Court to the order passed by the Divisional Commissioner, Patna in Land Dispute Appeal No. 1 of 2016 (Hira Lal Prasad vs. The State of Bihar and Ors.) dated 04.03.2016 (Annexure-9 to the petition) to show that he directed the parties to approach the competent civil court.

4. Be that as it may, since there is no appearance, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

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