

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.389 of 2019

In
Civil Writ Jurisdiction Case No.7075 of 2003

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Sanjay Kumar, Son of Late Satyanarayan Singh, resident of Village- Takiya,
Police Station- Sasaram Model Thana, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Agriculture Production Commissioner, Old Secretariat, Bailey Road, Patna.
2. The Bihar State Agriculture Marketing Board through its Managing Director, Pant Bhawan, Bailey Road, Patna.
3. Sanjay Kumar Rakesh, Son of not known, The Managing Director, Bihar State Agriculture Marketing Board, Pant Bhawan, Bailey Road, Patna.
4. Samson Soy, Son of not known, The Secretary, Bihar State Agriculture Marketing Board, Pant Bhawan, Bailey Road, Patna.
5. Syed Imtiyazuddin Son of not Known, The Director, Bihar State Agriculture Marketing Board, Pant Bhawan, Bailey Road, Patna.
6. Krishna Mohan Prasad, Son of not known, The Special Land Acquisition Officer, Bihar State Agriculture Marketing Board, Pant Bhawan, Bailey Road, Patna.
7. Satyendra Srivastava, Son of not known, The Accounts Officer, Bihar State Agriculture Marketing Board, Pant Bhawan, Bailey Road, Patna.
8. Vimal Chandra Singh, Son of not known, The Secretary, Agriculture Production market Committee, Takiya, P.S. Sasaram, District- Rohtas.
9. Sri Shribhagwan Singh, Son of Sri Ramdeni Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
10. Sri Dukh Haran Singh, Son of Late Dena Singh @ Mahto, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
11. Sri Jhansi Singh, Son of Late Ram Prasad Singh and Smt. Bachani Kuer, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
12. Sri Badri Singh, Son of Late Ram Prasad Singh, and Smt. Bachani Kuer, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
13. Sri Rama Singh, Son of Late Bishun Bhagwan Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
14. Smt. Indri Devi, Wife of Sri Dukh Haran Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
15. Smt. Chandra Baso Singh, Wife of Late Ramnandan Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
16. Sri Janki Singh, Son of Late Timal Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
17. Sri Babuchana Singh, Son of Late Gajadhar Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.



18. Sri Sheo Janam Singh, Son of Late Muneshwar Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
19. Sri Rampati Singh, Son of Late Baliram Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
20. Sri Ram Bachan Singh, Son of Late Bali Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
21. Sri Ramdhani Singh, Son of Late Damari Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
22. Sri Gulabchand Singh, Son of Late Doma Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
23. Sri Kishun Singh, Son of Late Makola Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
24. Sri Lakohuni Narayan Singh, Son of Late Kunj Bihari Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
25. Dhanraj Singh, Son of Late Fegu Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
26. Most Karmi Kuer, Wife of Late Janki Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
27. Most. Sarsmati Devi, Wife of Late Satyanarain Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
28. Ajay Kumar, Son of Late Staya Narain Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
29. Most. Kalawati Das, W/o Late Ramakant Singh, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.
30. Abhay Pratap, R/o Vill- Takiya, P.S. Sasaram, District- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Prasad, Advocate
For the Opposite Party/s : Mr. Sarvesh Kumar Singh (AAG-13)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 31-07-2025 Heard the parties.

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

*“the review application is arising out of
order dated 26.02.2016 passed in CWJC No.*



7075 of 2003 in pursuance of order dated 14.11.2019 passed in LPA No. 469 of 2018 whereas your lordship given liberty to the petitioner to raise the issue in civil review.”

3. The claim of the petitioner is that he is one of the 18 land holders whose lands were taken for the construction of Bazar Samiti, Sasaram but the payments have eluded them.

4. Both Bihar Agricultural Produce Market Committee, Takia, Sasaram as also the mother of the petitioner preferred writ petition viz CWJC No. 204 of 1995 (Bihar Agricultural Produce Market Committee, Takia Sasaram vs. State and Ors.) and CWJC No. 7075 of 2003 (Most. Sarasmati & Anr. vs. The State of Bihar) which came to be disposed of with a small order which read as follows:-

“None appears on behalf of the petitioners in either of the writ petitions.

Prima facie these two writ petitions have been rendered infructuous in view of the orders passe din First Appeal Nos. 233, 234 and 235 of 1982 which stands disposed of. Vide order passed on 05.12.2008 in CWJC No. 204 of 1995 and vide order passed on 15.10.2009 in CWJC



No. 7075 of 2003, these writ petitions were to be heard along with the said appeals. In the circumstances that the said appeals stand disposed as reported by the office hence these two writ petitions also stands disposed of on similar terms as First Appeal Nos. 233, 234 and 235 of 1982.”

5. The petitioner who is son of late Most. Sarasmati preferred LPA No. 469 of 2018 which came to be disposed of on 14.11.2019 by a Division Bench presided by Hon’ble the Chief Justice (as his lordship then was) allowing the petitioner to prefer review.

6. In the said circumstance, Civil Review No. 384 of 2019 has been filed.

7. This Court wanted to know from the petitioner about the land details which according to him has been taken over by the Market Committee, Sasaram in the year 1972-73 and is one of the eighteen land holders who are agitating the matter.

8. In this voluminous civil review, to the best of the knowledge of this Court, the details is/are missing.

9. Learned counsel for the petitioner submits that he



can satisfy the respondent-authorities on his *bona fide* as also the fact that for fifty years, no payments were made to him/family members.

10. Learned State counsel submits that the case is old one, the Marketing Board stands abolished in the year 2006-07 itself and now vested with the Agricultural Department, Bihar, Patna.

11. Learned counsel for the petitioner submits that he shall be preferring a petition alongwith all the connecting documents to support the claim/claim of his family members before the respondent no. 1, the Agriculture Production Commissioner, Agriculture Department, Bihar, Patna in next four weeks.

12. If such petition is preferred, the concerned respondent shall be noticing the authorities/officials at Sasaram to provide him/her the original documents relating to the case and after noticing/hearing all the parties, shall take the same to its logical conclusion at an earliest.

13. It is made clear that the aforesaid order has been passed in the background of the assertion of the petitioner that the 18 land holders whose lands were taken for the construction have not been paid the amount. If the payments



have been made and the matter stands closed, the same be recorded accordingly and the file can be consigned.

14. The review petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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