

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11612 of 2016

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Jai Prakash Gupta S/o Late Om Prakash Gupta Resident of Plot No. 187, Jai Prakash Nagar, P.S. - Agam Kuan, Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Patna.
3. The Additional Collector Incharge Land Acquisition, Patna.
4. Bihar Finance Service House Construction Cooperative Society through its Secretary, Patna having its office at Mohalla-Gardanibagh, Road No. 29/3, P.S., Gardanibagh, District-Patna

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 11718 of 2016

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Abha Rani Gupta D/o Late B.K. Seth Resident of Plot No. 187, Jai Prakash Nagar, P.S. Agam Kuan, Distt. Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Patna
3. The Additional Collector Incharge Land Acquisition, Patna
4. Bihar Finance Service House Construction Cooperative Society through its Secretary, Patna having its office at Mohalla-Gardanibagh, Road No. 29/3, P.S., Gardanibagh, District-Patna

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 11612 of 2016)

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the State : Mr. Ravindra Kr. Priyadarshi, SC-32

(In Civil Writ Jurisdiction Case No. 11718 of 2016)

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the State : Mr. Sarvesh Kumar Singh, AAG-13

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-02-2026 Heard the parties.

2. The present petition has been preferred for the



grant of following relief(s):

“(i) for issuance of an appropriate writ and/or writs in the nature of certiorari to quash the impugned public notice dated 30/9/2007 published in the Hindi daily "Hindustan" in its issue dated 30/9/07 whereby the spot verification is to be done and recommendation for land in village Kumhrar, P.S. No. 12 in which 56.1275 acre land has been acquired for Bihar Finance Service House Construction Co-operative Society to the extant plot no. 187 has also been included for spot verification despite the order dated 20th June 2001 passed in CWJC No. 2755/1988 by a Division Bench presided over by Hon'ble Mr. Justice S.N. Jha ratio whereof was also made applicable to CWJC No. 875/1984 and CWJC No. 877/1984 disposed of on 01/4/2003 as also the order dated 18/8/2004 passed by the Apex Court in analogous civil appeal no. 1357/2003 with SLP (C) nos. 22606/2003 which relates to the SLP filed by the petitioner.



(ii) for a direction upon the Collector and the Land Acquisition Officer to delete plot no. 187 (part), Khata No. 269, Tauzi No. C-35, Mauza-Yogipur Kumhrar, Thana No. 12, area measuring 15 decimal on which the residential building of the petitioner is in existence for the last 25 years from the impugned public notice published for spot verification.

(iii) for issuance of an appropriate writ and/or writs in the nature of mandamus commanding the respondents to de-notify the plot in question to treat the plot as de-notified on the basis of the judicial order passed by the Division Bench Hon'ble Patna High Court referred above and the judgment and order dated passed in Civil Appeal 18/8/2004 with analogous SLP (C) 1357/2003 ratio whereof was also made applicable to the case of the petitioner bearing plot no. 187 (part), khata no. 269, admeasuring 15 decimal, Mauza Yogipur, Kumhrar, Patna.

(iv) for stay of the spot verification of plot no. 187 (part), khata no. 269 admeasuring



*area 15 decimal, which is proposed to be done
on the basis of impugned public notice.*

*(v) and for any other relief/reliefs to
which the petitioner is found entitled to.*

3. Learned State counsel has directly pointed out that
the prayer made in the petition with the passage of time has
become infructuous.

4. Accordingly, the writ petition is disposed of as
become infructuous.

(Rajiv Roy, J)

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