
(2019) 07 PAT CK 0064

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 13935 Of 2015

Ramchandra Prasad Yadav

APPELLANT

Vs

State Of Bihar Through And Ors

RESPONDENT

Date of Decision : 05-07-2019

Acts Referred:

Citation : (2019) 07 PAT CK 0064

Hon'ble Judges : Amreshwar Pratap Sahi, CJ;Anjana Mishra, J

Bench : Division Bench

Advocate : Bankey Bihari Singh, Madhaw Pd. Yadav, Rajesh Kr. Sinha

Final Decision : Disposed Off

Judgement

1. The petitioner has not been able to establish his rights over the land and also the procedure under which he could have transferred the said land through a registered sale deed as claimed by him.

Paragraph-11 of the writ petition states as under:-

"11. That the District Superintendent of School cum District Planning co-ordinator, Gaya had informed the Director, Primary Education, Human Resources Development Department dated 15/3/2008 that the S.D.O., Bathari, head office-Khijarsarai Vide his letter no. 205 dated 16/6/2007 had stopped the construction of school village Surajpur stating there in that Land owner has registered his Rayati Land without taking permission from competent authority."

It is, therefore, evident that nothing has been brought in support of the said objection which may have been raised by any of the revenue authorities. The land had been donated for the construction of a school in the village and this setting up of an institution at the village level has been engaging the attention of the authorities for the past more than 7 years.

The Collector, Gaya, is, therefore, directed to examine the entire facts and in the event, it is found that the land which is stated to have been made available by

the petitioner is free from all encumbrances and can be utilized for the school purposes, the Collector shall forthwith issue directions for the construction of the school, for which a decision shall be taken within six weeks after making an enquiry as directed above, from the date of production of a certified copy of this order.

The application is disposed of.