

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 1162 of 2014

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Inamati Devi W/o Late Moti Lal Thakur Resident of Village-
Samasthuasthan Bihta, P.S. - Bihta, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner-cum-Secretary Department of Revenue and Land Reform, Bihar, Patna.
3. The Collector-cum-District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Sub-Divisional Officer, Danapur, Patna.
6. The Sub-Divisional Police Officer, Danapur, Patna.
7. The Deputy Collector of Land Reform, Danapur, Patna.
8. The Circle Officer, Bihta, Patna.
9. The Officer-in-charge, Bihta Police Station, Patna.
10. Sheo Prasad Ram S/o Late Nagina Ram Resident of Village-Samasthuasthan, Bihta, P.S. - Bihta, District - Patna.
11. Dr. Prakash Kumar Singh S/o Not known Resident of Village-Samasthuasthan Bihta, P.S. - Bihta, District - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 20-07-2015

Heard learned counsel for the petitioner and
learned AC to AAG-8 for the State.

The present application seeks direction to the
respondent authorities to save the life and property of the
petitioner and also restrain the private respondents from
illegal construction on her land or on its adjacent land.

Learned counsel for the petitioner submits that

her husband was the holder of *basgit purcha* and the land for which it was granted, though being under her possession, the private respondents were trying to raise construction over the same for which application before the authorities for protection has neither been looked into nor her grievance redressed.

Learned counsel for the State points out from the pleadings itself that the prayer of the petitioner asking to restrain the private respondents from illegal constructions on her land or on its adjacent land is misconceived since she can have no grievance with regard to the land not belonging to her. He further submits that from the various petitions before the authorities, initially the fact narrated was that others were trying to make construction on the land under her possession but later on it seems to have been shifted inasmuch as it has been stated that others were making construction on her land. It has also been stated that the dispute with regard to the title of the parties is still pending before the High Court.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, this Court is not inclined to interfere in the matter which requires adjudication on facts. However, if so advised, the petitioner may move in an appropriate proceeding before the Competent Authority under the Bihar Land Disputes Resolution Act, 2009.

Accordingly, the application stands disposed
off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

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