

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19273 of 2015

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1. Ravi Prakash Dubey son of Sri Devendra Nath Dubey resident of Road No.-2 Near Gandhi Murty, Patel Nagar, P.O. Shashtri Nagar, P.S. Shashtri Nagar, Patna- 800023.
 2. Nagendra Kumar Ojha son of Late Lallan Ojha resident of Village Tiwari Matihania, P.O. Sipaya, P.S. Kuchaikot, District Gopalganj.
 3. Mrinalini Pandey wife of Binay Shankar Pandey resident of Village Sahora, P.O. Usfa, P.S. Gaurichak, District Patna.
 4. Devendra Nath Dubey son of Late Ram Pravesh Dubey resident of Village Maner Telpa, P.O. and P.S. Bikram District Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar
3. The District Magistrate, Patna Collectorate, Patna.
4. The Deputy Collector Land Reforms, Patna Collectorate, Patna.
5. The SDO Sadar, Patna, Collectorate, Patna.
6. The Circle Officer, Patna, Collectorate, Patna.
7. The Director General of Police, Bihar, Patna.
8. Senior Superintendent of Police, Patna.
9. The Superintendent of Police, Patna.
10. The SHO Shashtri Nagar Police Station, Shashtri Nagar, Patna.
11. IO, Shashtri Nagar, Police Station, Shashtri Nagar, Patna.
12. Godhani Devi wife of Late Pyare Lal Paswan, resident of Village Dhanauti, P.S. Masaurhi, District Patna, presently residing at Mohalla Mainpura, Opposite to Masjid, P.S. Patlipura, District Patna.
13. Vinay Kumar son of Sri Rajdeo Singh resident of Mohalla Gandhi Nagar, Boring Road, Patna.
14. Ramadhin Singh alias Randhir Singh, son of Late Devanth Singh, resident of Ravi Chowk, Patel Nagar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S. K. Verma, Sr. Advocate
Mr. Jai Vardhan Narayan
For the Respondent/s : Mr. Amar Nath Deo- SC-26

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 21-12-2015 Heard Mr. S. K. Verma for the petitioners and

the counsel for the State.

The writ application seeks a direction upon the respondents not to violate the orders and judgment passed by this Hon'ble Court in the writ proceeding.

The petitioners claim the subject/suit land through Kumari Kamna @ Kamna Prasad whereas the respondent(s) claim the land by virtue of an agreement to sale executed by Godhani Devi. A litigation relating to the land in question appears to have been contested between the parties and an order under 144 Cr. P.C. has been passed. It is stated that Godhani Devi had no right to sell or to execute an agreement to sale. One of the contentions of the petitioners is that Godhani Devi had approached the Deputy Collector, Land Reforms for certain direction(s) which was declined observing that she may approach the court of competent civil jurisdiction for the remedy. Instead of going to the civil court, subsequently she executed the present agreement to sale creating disturbance in the title and possession of the petitioner.

On going through the diverse annexures attached to this writ petition as also after hearing the parties, it appears to this Court that there is a dispute between the two individuals relating to the subject/suit land. The

judgment of this Court shall be a matter to be considered in appropriate proceeding by the court if a proceeding is filed. In the writ jurisdiction, no relief in the facts and circumstances of the case, can be granted to the writ petitioner.

Consequently, the application is disposed of permitting the petitioners to agitate their grievance(s) before the appropriate authority/forum in accordance with law.

(Kishore Kumar Mandal, J)

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