

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.284 of 2014

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Rubi Devi wife of Mathura Manjhi, Resident of Village- Amhara, Police Station- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
 2. The Chief Secretary, Bihar, Patna.
 3. The Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
 4. The Home Secretary, Government of Bihar, Patna.
 5. The District Magistrate, Patna.
 6. The Director General of Police, Bihar, Patna.
 7. The Inspector General of Police, Central Range, Patna.
 8. The Deputy Inspector General of Police, Central Range, Patna.
 9. The Senior Superintendent of Police, Patna.
 10. The Sub. Divisional Police Officer, Danapur (Patna)
 11. The Station House Officer, Bihta, Patna.
 12. Ashok Singh son of Late Ramshankar Singh, Raja Jee
 13. Manoj Singh son of Late Ramshankar Singh @ Raja Jee
- Both resident of village- Amhara, Police Station- Bihta, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar No.1, Advocate
For the Respondent/s : Mr. Satyapal Singh, A.C. to 15

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-01-2015 The petitioner claims that he has purchased a piece of land through registered sale deed appertaining to Khata No.961 and Plot No.2168 which has also been mutated in the name of father-in-law of the petitioner and revenue receipt has been issued in her name. The grievance of the petitioner is that despite there being a valid title respondent nos.12 and 13 are creating hurdle in

constructing the house over plot in question.

By filing the present application under Articles 226 and 227 of the Constitution of India, the petitioner seeks a direction to be issued to the respondent-authorities to take action against the respondent nos.12 and 13 and to give proper protection to her life and property.

In my view, the question raised in the present application is contentious one. It is one thing to say that in a given fact a person may be held to be entitled to police protection having regard to the threat perception but it is another thing to say that he is entitled thereto for the purposes of possession over a particular piece of land. A person cannot approach this Court under Articles 226 and 227 of the Constitution of India for the purpose of determining disputed question of fact regarding right, title and possession over a particular piece of land.

In that view of the matter, I find no merit in the present application. Accordingly, it is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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