

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1178 of 2013**

=====

1. Gurjeet Singh Son Of Late Sardar Mangal Singh R/O Mohalla-  
Khalifabag Also Known As Kharmanchak, D.N. Singh Road, P.S.- Kotwali  
(Adampur) Subdivision And District- Bhagalpur

2. Devendra Singh Son Of Late Sardar Mangal Singh R/O Mohalla-  
Khalifabag Also Known As Kharmanchak, D.N. Singh Road, P.S.- Kotwali  
(Adampur) Subdivision And District- Bhagalpur

.... .... Petitioner/s

Versus

1. The State Of Bihar Through Collector Bhagalpur

2. The Superintendent Of Police, Bhagalpur

3. The Dy. S.P. Bhagalpur

4. The S.H.O. Adampur (Kotwali), District- Bhagalpur

5. Kulwant Singh S/O Late Sardar Mangal Singh R/O Mohalla- Khalifabag  
Also Known As Kharmanchak, D.N. Singh Road, P.S.- Kotwali (Adampur)  
Subdivision And District- Bhagalpur, Presently Residing At 292, E, B.R.S.,  
P.S.- Sarabanagar, District- Ludhiana (Punjab)

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Respondent/s : Mr. Ashok Kumar Keshri

=====

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      08-01-2015

The prayer of the petitioner as disclosed in  
paragraph 1 of the writ petition is as under :-

“1. That this application is being filed for issuance of  
writ for following reliefs :-

- (i) For issuance of writ in the nature of command  
directing the official respondents to not disturb  
the possession the petitioners over the disputed  
land in collusion with private respondent no.5.
- (ii) For issuance of writ in the nature of command  
directing the official respondents to not take  
any steps in collusion of the private respondent  
no.5 for his forceful entry in the suit premises  
till final disposal of T.S.No. 101/2012 in which  
he is the sole defendant.

(iii) For issuance of writ in the nature of command directing the official respondents to not disturb the petitioners or their caretaker who is residing in the disputed land in absence of petitioners.

(iv) For issuance of any other writ/writs, order/orders for which petitioners deemed entitled to.”

Having gone through the record, I find that the petitioners and respondent no.5 are full brothers and the case relates to the dispute of share in the property in question. In my view, the question relating to right, title, possession and share of property cannot be decided in writ jurisdiction.

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

**(Ashwani Kumar Singh, J)**

Pradeep/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|