

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14615 of 2012

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1. Md. Aslam S/O Late Bijali Mian R/O Village And P.O. Mohiddinpur, P.S. Muffasil Siwan, District Siwan.

.... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary Human Resources Department Govt. Of Bihar, Patna.
2. The Collector Of The District Siwan.
3. The Superintendent Of Police Siwan.
4. The Officer Incharge Of Muffasil P.S. Siwan.
5. Manshad Hussain S/O Khmad Hussain R/O Village Mohadipur, P.S. Siwan, Muffasil, District Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. DHANANJAY KUMAR

For the Respondent/s : Mr. KUMARI AMRITA GP10

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 07-12-2015

Heard Mr. Dhananjay Kumar for the petitioner and A.C. to G.P. 10 for the State. Counsel for the petitioner sought permission of the Court to delete the name of respondent No.5 as he is dead.

His name is deleted from the array of parties.

The application seeks a direction upon the respondent for providing state protection to the petitioner in respect of the subject land detailed in paragraph-11 of the writ petition in respect whereof a decree was passed by the Court of competent jurisdiction at the instance of the petitioner vide Title Suit No. 180 of 1997.

The State respondents have filed a counter affidavit enclosing therewith a copy of the report submitted to the Senior

Superintendent of Police (Annexure-A) in order to show that there is serious land dispute between the parties. In the said communication, it has been observed that the petitioner, in the light of the decree of the Court, has not approached for execution thereof by deputing Magistrate and/or by providing police protection. If any such prayer is made, the same shall be considered.

Having regard to the said fact, Mr. Kumar, after making submissions at some length, prays for withdrawal of the case enabling him to approach the competent authority of the State for redressal of the grievance in the light of the said observation made in the police report (Annexure-A).

The writ application is permitted to be withdrawn to the said liberty.

(Kishore Kumar Mandal, J)

Pankaj/-

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