

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.106 of 2015

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Pramod Kumar, Son of Late Nhuneshwar Sao @ Bhuneshwar Lal, Resident
of Village - Hasra, P.S. - Fatehpur, District - Gaya.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land
Reforms Department, Government of Bihar, Patna.
 2. The Collector Cum District Magistrate, Gaya.
 3. The Deputy Collector, Gaya.
 4. The Sub-Divisional Magistrate, Gaya.
 5. The Circle Officer, Fatehpur, District - Gaya.
 6. Basudeo Chaudhary, Son of Late Somar Chaudhary
 7. Pappu Chaudhary
 8. Sunil Chaudhary
- Both are Sons of Basudeo Chaudhary, All are resident of Hashra,
Seewanaper, P.S. - Fatehpur, District - Gaya.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Archit Rajpal, Adv.

For the Respondent/s : Mr. Pankaj Kr. Sinha, A.C. to S.C.-28

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 09-02-2015 Prayer for pass over has been made, which is refused.

This writ petition has been filed questioning an order
dated 01.08.2014 passed by the Deputy Collector, Gaya, whereby
he has refused to set aside the order dated 12.01.2006 passed by
the Sub-Divisional Magistrate, Gaya in Misc. Case No. 741 of
2005 under Section 133 of the Code of Criminal Procedure.

The writ petition is misconceived inasmuch as an order
passed under Section 133 of the Code of Criminal Procedure
cannot be questioned in the writ proceedings. The petitioner shall

be at liberty to take recourse to such other remedy as may be available to him in law.

The writ petition is disposed of.

(Jyoti Saran, J.)

Vats/-

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