

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12934 of 2011

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1. Jagdish Mahaseth son of Late Sunder Mahaseth Presently Posted As Headquarter Junior Engineer, Water Resources Department, Motihari
 2. Sujit Kumar Sinha son of Naresh Chandra Sinha Presently Posted As Executive Engineer, Design Division No.-1, Water Resources Department, Motihari
 3. Ambika Prasad son of Late Rup Das Singh Presently Posted As Junior Engineer, Sikarahana Embankment Division, Motihari

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Water Resources Department, Government Of Bihar, Patna
2. The Principal Secretary Water Resources Department, Government Of Bihar, Patna
3. The Principal Secretary Home (Special) Department, Government Of Bihar, Patna
4. The District Magistrate, West Champaran At Motihari
5. The Superintendent Of Police, West Champaran At Motihari
6. The Chief Engineer, Water Resources Department, Valmikinagar
7. The Executive Engineer, Tirhut Canal Division No. 1, Motihari
8. The Under Secretary Home (Special) Department, Government Of Bihar, Patna
9. The Union Of India, Through The Commandant 153 Battalion, Central Reserve Police Force, West Champaran, Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar Dwivedi
For the Respondent/s : Mr. Anjani Kumar Saran

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 11-02-2016 Heard Sri Shiv Kumar Dwivedi, learned counsel for the petitioners, learned AC to SC No. 33 as well as Sri Anjani Kumar Saran, learned Central Government Counsel.

In the present writ petition a peculiar relief has been sought for by three petitioners, who are posted as Junior Engineer, Executive Engineer and Junior Engineer respectively in

the Government of Bihar and they have prayed for issuance of writ of mandamus directing the respondent no. 9 i.e. Union of India through the Commandant, 153 Battalion, Central Reserve Police Force, West Champaran, Motihari to vacate the official quarter and hostel of Gandak Camp No. 3, Motihari.

Learned counsel for the petitioners accepts that the premises which is under occupation of the respondent no. 9 is the premises of the State Government. Moreover, if the State Government feels that the premises is under unauthorized occupation, there is other remedy. For such relief obviously no writ petition can be entertained particularly in view of the fact that the present writ petition has been filed in individual capacity.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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