

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53721 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- SUPAUL

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Ganesh Prasad Yadav, Son of Bhular Yadav, resident of village - Kenjara, Police Station - Chhatapur, District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Shyama Devi, Wife of Ganesh Prasad Yadav, resident of village - Kenjara, Police Station - Chhatapur, District - Supaul at Present D/o Gogai Yadav of village - Daparkha, P.S. Tribeniganj, District - Supaul

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the State : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 15-03-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order dated 18.8.2015 passed by the Principal Judge, Family Court, Supaul, in Misc. Case No. 51 of 2000/109 of 2002.

It is admitted that the Petitioner has already given a certain portion of land to the Opposite Party No. 2 through a proper sale deed. However, counsel for the Opposite Party No. 2 submits that the Petitioner is still in possession of the said land.

The Petitioner submits that it is a wrong allegation and if it is so, he undertakes not to disturb the possession of the Opposite Party No. 2. In such circumstances, when the Opposite Party No. 2

has already been sufficiently maintained by the Petitioner, the order dated 18.8.2015 passed by the Principal Judge, Family Court, Supaul, in Misc. Case No. 51 of 2000/109 of 2002, is hereby, set aside.

The Petitioner is also directed to ensure that under no circumstances, the possession of the Opposite Party No. 2 disturbed.

The application stands disposed off.

(Anjana Prakash, J)

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