

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6461 of 2007

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Shiv Pujan Tiwari son of Late Ghurlate Tiwari, resident of village Belaon,
P.S. Bhagwanpur, District Kaimur, Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar
2. Additional Collector, Kaimur at Bhabhua.
3. Sub-Divisional Magistrate, Kaimur at Bhabhua.
4. Circle Officer, Rampur (Kaimur) at Bhabhua.
5. Officer Incharge Belaon (Bhagwanpur) Police Station, District Kaimur at Bhabhua.
6. Most. Surajbarta Kuer w/o late Ramjee Tiwari, resident of village Kharenda, Police Station Bhagwanpur, District Kaimur at Bhabhua.
7. Uma Shankar Tiwari son of late Ram Swaroop Tiwari
8. Rama Shankar Tiwari son of late Ram Swaroop Tiwari (Expunged vide order dated 21.1.2014 and substituted by his heirs, namely,
- 8(i) Harihar Tiwari son of late Rama Shankar Tiwari, all residents of village Kharenda, Police Station Bhagwanpur, District Kaimur at Bhabhua
9. Sahdeo Bind, son of late Sitaram Bind, resident of Maidath Khurd, P.S. Belaon (Bhagwanpur), Distt. Kaimur.
10. Mostt. Phekna Kuar wife of late Ram Nagina Choubey, r/o village Katakara, P.S. Belaon (Bhagwanpur), Distrit Kaimur (Bhabua)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh

For the Respondent No.1 to 5 : Mr. Prabhat Ranjan, AC to G.P. 12

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

11 09-03-2016

Heard the parties.

Admittedly, an order has been passed by the Director of Consolidation, Bihar, Patna with respect to the lands in question in favour of the private respondents. The petitioner, being aggrieved by the aforesaid order, filed CWJC No. 7619 of 2004. He also prayed for stay of the order passed by the Director of Consolidation, Bihar, Patna.

The learned counsel appearing on behalf of the petitioner has fairly submitted that the prayer for stay has been rejected by a co-ordinate Bench of this Court.

In view of the order passed by a co-ordinate Bench of

this Court in CWJC No.7619 of 2004, the impugned communication was issued on 30.04.2007 by the Circle Officer, directing the local police station to take appropriate steps in the light of the order passed by this Court.

If the petitioner was at all aggrieved by the impugned communication, then he ought to have assailed this communication in that writ petition itself. Instead of doing that, he filed the present separate proceeding assailing the validity and correctness of that communication.

In the considered opinion of this Court, the present writ petition is completely misconceived and is, accordingly, dismissed. The order of status quo passed by a Bench of this Court on 11.07.2007 stands vacated.

(Birendra Prasad Verma, J)

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