

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3500 of 2014

Bishnu Shankar Prasad Son Of Late Harishankar Prasad Resident Of Mohalla-
Amlapatti, Ward No. 10, P.S. Motihari, District- East Champaran

.... Petitioner/s

Versus

1. The State Of Bihar, Through the Collector, East Champaran
2. The Deputy Collector, Land Reforms, Sadar Motihari, East Champaran
3. The Sub divisional Magistrate, Motihari, District- East Champaran
4. The Circle Officer, Motihari, District- East Champaran
5. The Officer Incharge, Motihari Town, P.S. East Champaran
6. Basudeo Prasad Jaiswal Son of Raghbir Prasad
7. Ramvilash Prasad Son of Late Mahadeo Sah
8. Rameshwar Prasad Son of Late Mahadeo Sah
9. Someshwar Nath Prasad Son of Rameshwar Prasad All Are Resident of Mohalla-
Thakurbari Ward No. 10, P.S. Motihari Town, and District- East Champaran

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. DILIP KUMAR TONDON

For the Respondent/s : Mr. S.S.PRASAD

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 22-09-2016

Heard Mr. Tandon for the petitioner and the State.

The petitioner intended to construct the boundary wall of his house.

It was obstructed by the private respondents. In these circumstances, he approached the respondent Sub-Divisional Officer. Annexure-4 dated 19.09.2013 and Annexure-6 dated 30.12.2013 are two orders passed by the Sub-Divisional Officer directing the authorities to provide police protection to the petitioner by deploying adequate number of personnel(s). The writ petition raises a grievance that those orders of the Sub-Divisional Officer are not being complied with by the authorities under the Sub-Divisional Officer. He wants execution/compliance of both the two orders by issuance of a writ.

Regrettably, the Writ Court would not be permitted to act as the

executing court enforcing the orders passed by the respondent State. Under which provision and under which circumstance, those orders were passed by the Sub-Divisional Officer are not clearly stated in the writ petition. The prayer made in the application is fit to be declined. However, if those orders of the Sub-Divisional Officer are not being carried out by the authorities under the Sub-Divisional Officer, it shall be open to the petitioner to approach the respondent Sub-Divisional Officer for passing necessary orders in this regard and ensure compliance of the order(s).

The writ application is dismissed.

(Kishore Kumar Mandal, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24.09.2016
Transmission Date	