

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5107 of 2014

=====

1. Sabhapati Mandal Son Of Sudama Mandal Resident Of Village - Athania
Diyara, P.S. Pirpaiti, District - Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar, through Chief Secretary
2. The District Magistrate, Bhagalpur
3. Circle Officer, Pirpaiti District Bhagalpur
4. Pramod Yadav Son Of Bhumeshwar Yadav Resident Of Village -
Athaniya Diyara, P.S. Pirpaiti, District - Bhagalpur
5. Ranit Yadav Son Of Adhol Yadav Resident Of Village - Athaniya
Diyara, P.S. Pirpaiti, District - Bhagalpur
6. Ram Akbal Yadav
7. Anirudh Yadav
8. Sadanand Yadav All No.6 To No.8 Son Of Bhumeshwar Yadav
Resident Of Village - Athaniya Diyara, P.S. Pirpaiti, District - Bhagalpur
9. Ashok Yadav Son Of Adhol Yadav Resident Of Village - Athaniya
Diyara, P.S. Pirpaiti, District - Bhagalpur
10. Fulchand Yadav Son Of Siyaram Yadav Resident Of Village -
Athaniya Diyara, P.S. Pirpaiti, District - Bhagalpur
11. Bhuvan Yadav Son Of Late Opi Yadav Resident Of Village - Athaniya
Diyara, P.S. Pirpaiti, District - Bhagalpur
12. Pritam Yadav Son Of Ramdeo Yadav Resident Of Village - Athaniya
Diyara, P.S. Pirpaiti, District - Bhagalpur
13. Shambhu Yadav Son Of Brahmdeo Yadav Resident Of Village -
Athaniya Diyara, P.S. Pirpaiti, District - Bhagalpur

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar
For the Respondent/s : Mr. Kaushal Kr. Jha

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 04-10-2016 Heard the learned counsel for the petitioner and the

State.

The mother of the petitioner was defendant in Title

Suit no. 2 of 1969/150/1979 filed by the ancestor of the

respondents. A prayer for declaration of title and recovery of

possession over the suit land was prayed. The same was decreed by the learned Trial Court. Aggrieved thereby, the mother of the petitioner and others filed Title Appeal no. 10 of 1981. Learned 7th Additional District Judge, Bhagalpur by judgment dated 1st June, 2009 allowed the appeal. The judgment and decree dated 12.12.1980 and 5.1.1981 passed by the learned Court below was set aside. It is stated that the respondents are creating trouble in peaceful possession of the petitioner over the subject land although he has a decree in his favour. In my view, if the respondents are doing something which is unlawful and prohibited by law, the petitioner can always approach the Court under the Code of Criminal Procedure (for short 'the Code') for any urgent/emergent order under the relevant provision of the Code. Petitioner is also granted liberty to approach the administration raising a grievance which shall be considered and if need be protection would be granted to the petitioner by the District Administration.

Granting the aforesaid liberty, the writ application is disposed of.

(Kishore Kumar Mandal, J)

Shyam/-

U			
---	--	--	--