

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.395 of 2016

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Shiv Shankar Yadav son of Late Ram Lakhan Yadav, resident of village
Bisfi Dih, P.S. and Anchal Bisfi, Madhubani

.... Petitioner/s

Versus

1. The State of Bihar Through District Magistrate, Madhubani
2. The Sub Divisional Magistrate (SDM), Madhubani
3. The Anchal Adhikari, Bisfi, Madhubani
4. Ram Babu Yadav son of Late Sanjeevan Yadav, resident of village Bisfi
Dih, P.S. and Anchal Bisfi, Madhubani
5. Surendra Yadav
6. Vijay Yadav
7. Jagdish Yadav
8. Sarbindra Yadav all sons of Late Brahamdev Yadav
9. Yogendra Yadav
10. Birendra Yadav both sons of Ramdev Yadav all are resident of Village
Bisfi Dih, P.S. and Anchal Bisfit, Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Nath Jha

For the Respondent/s : Mr. Ga10-Smt. Nivedita Nirvikar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 13-12-2016 Although, the case has been listed under the heading ‘for
office notes’, but the counsel for the petitioner, private
respondents and the State argued the case on merit.

The petitioner claims himself as the second party to M.R.
No. 273 of 2002 said to be pending on the file of SDM, Benipatti,
Madhubani (respondent no.2)

Mr. Shashi Nath Jha states that the present application is
only for a direction for taking up the said proceeding and dispose
of on merit as the same has remained pending on the file of the



respondent SDM for the last 14 years.

Mr. Shailendra Kr. Jha, appearing for respondent no.4, considering the said stand taken by the petitioner submits that if any proceeding has remained pending for such a long time the same may be directed to be disposed of on merit expeditiously. The same stand has been taken by the State respondent.

Considering the above, the writ application is disposed of by directing the SDM, Benipatti, Madhubani (respondent no.2) to take up and dispose of M. R. No. 273 of 2002 pending on his file, if not already disposed of, in accordance with law, as quickly as possible preferably within 05 months from the date of receipt/communication of a copy of this order.

(Kishore Kumar Mandal, J)

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