

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13180 of 2016

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Md. Salahuddin, Son of late Abdul Shakoor, Resident of Mohalla-Purani
Karimganj, Police Station-Civil Lines, District-Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Gaya.
3. The S.D.O., Sadar, Gaya.
4. The C.O., Manpur (Anchal), Gaya.
5. The Officer-Incharge, Mufassil Police Stationl, Gaya.
6. Asrar Ahmad, Son of late Abrar Ahmad, Resident of Mohalla-Dhami Tola,
Bank Road, Police Station-Kotwali, District-Gaya.
7. Anjani Kumar, Son of Uday Shankar Sharma.
8. Dhanwanti Devi, Wife of Mahesh Kumar, Resident of Sabal Chak, Police
Station- Wazirganj, District-Gaya.
9. Phool Kumari Devi, Wife of Ramesh Kumar, Resident of Jani Bigha, Plice
Station- Bodh Gaya, District-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda
For the Respondent/s : MD.Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-11-2017 Heard Mr. Zeyaul Hoda, learned counsel for the petitioner
and learned AC to AAG-12 for the respondent-State.

The present writ application has been filed for a direction
to respondent no.3, the Sub-Divisional Officer, Sadar Gaya to
comply/implement his own order dated 02.05.2013, passed in
Miscellaneous Case No. 3750 of 2011, as contained in
Annexure-1, whereby respondent no.4, the Circle Officer,
Manpur was directed to attach the disputed land in question with
the help of respondent no.5, the Officer In-Charge, Mufassil
Police Station, Gaya, in a proceeding under Sections 145 and



146 of the Cr. P.C. Further prayer has been made to restrain the private respondent nos. 6 to 9 to stop the construction over the land in question.

In view of this Court, since, this is not in dispute that proceeding under Section 145 of the Cr. P.C. is still pending, hence the remedy available to the petitioner is by filing appropriate application before the Sub-Divisional Officer, Sadar Gaya, who will consider the same and try to dispose of the proceeding under Section 145 of the Cr. P.C. expeditiously.

Accordingly, with the above observation and direction, the present writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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