

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1537 of 2016**

**In**  
**Civil Writ Jurisdiction Case No. 10489 of 2015**

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1. Ram Parvesh Roy, Resident of Moghulchak, P.O. & P.S. Mohiuddin Nagar, District- Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar through Subdivisional Officer, Patori, At/ P.O.- Patori, District - Samastipur.
2. Circle Officer, Mohiuddin Nagar Block, Mohiuddin Nagar, District- Samastipur;
3. Mahant Raghubir Das alias Nawal Das, Sri Ram Janki Mandir, Mohiuddin Nagar, Pachim Chowk Bazar, P.S. Mohiuddin Nagar, District- Samastipur;
4. District Magistrate, Samastipur, At/ P.O. District- Samastipur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Saxena, Adv.

For the Respondent/s : Mr. AAG-13 A K Chaudhary

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

**and**

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)**

3      17-05-2017

**Re: MJC No. 1537 of 2016**

The present MJC application has been filed for modification of the order dated 30.01.2016 passed in C.W.J.C. No. 10489 of 2015.

Heard learned counsel for the petitioner and learned counsel for the State.

We find certain factual errors in the aforesaid order dated 30.01.2016.



In that view of the matter, the aforesaid order is recalled.

The MJC application stands allowed.

**Re: C.W.J.C. No. 10489 of 2015**

This writ application in the nature of public interest litigation has been filed by the petitioner for issuance of a direction to the respondent no.3 Mahant Raghubir Das alias Nawal Das to restrain him from collecting any rent from the general shopkeepers of Gudari Market located at Mohiuddin Nagar, Samastipur as also to restrain him from dispossessing the aforesaid shopkeepers from their shops.

The writ petition is to be dismissed in the threshold on the ground that no writ would lie against a private person. Ordered accordingly.

**(Ashwani Kumar Singh, J)**

**(Chakradhari Sharan Singh, J)**

Pradeep/-

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