

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2199 of 2017

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Rakesh Kumari Daughter of Chandrahud Sharma Resident of Shop No. 13,
Market No. 02 , Rajbanshi Nagar, P . O. and P.S.- Shashtri Nagar, District-
Patna-800023.

.... Petitioner/s

Versus

1. The State of Bihar , through the District Magistrate, Patna.
2. The Sr. Superintendent of Police, Patna.
3. The Superintendent of Police, Law and Order, Patna.
4. Sonu Kumar, S/o Prahlad Rajak, Shop No. 21, Market No. 02 Rajbanshi
Nagar, P.O. - Shastri Nagar, District- Patna-800023.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar
For the Respondent/s : Mr. Partha Sarthi- Ga4

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 28-08-2017 Heard Mr.Dhananjay Kumar, learned counsel for the
petitioner and Mr. Purva Kumar, learned A.C. to G.A.4.

The present Writ application has been filed for vacating
the shop No.21 of Market No.2 situated in Rajbanshi Nagar
Market Complex which has been allotted to the petitioner by the
order of Sub-Divisional Officer, Patna Sadar – cum- Special
Officer, Agriculture Produce Market Committee, vide Memo
No.1603/c, Patna dated 19.12.1987.

It is submitted by learned counsel for respondents no.1
to 3 that a counter affidavit has been filed on behalf of respondent
no.1, District magistrate, Patna that in pursuance to the order dated



28.12.2015, passed by the House Controller- cum-S.D.O., Patna Sadar in Eviction Suit No.92/14, the private respondent no.4 has been directed to get the shop in question vacated and accordingly, for implementation of the said order, the S.D.O., Patna Sadar vide Letter No.1138 dated 23.05.2017 has requested the Incharge District Control Room, Patna for deputation of a Magistrate and adequate Police force for eviction of private respondent , Sonu Kumar from the shop in question.

In view of the present stand of the respondent no.4 made in paragraph 4 to 6 of the counter affidavit the learned counsel for the petitioner prays for disposal of the writ application.

Hence, this Court is not issuing notice to private respondent no.4.

Accordingly, the Writ application is disposed of without expressing any opinion with regard to the merits of the case.

(Dinesh Kumar Singh, J)

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