

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21443 of 2014

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Sarswati Bhatt, Widow of Late Suresh Bhatt, Resident of Vijay Sinema,
Nawada, P.O. Nawada, P.S. Nawada, District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Patna.
2. The Collector, Nawada.
3. The S.D.M., Nawada.
4. The Deputy Collector, Land Reforms, Nawada.
5. Dinesh Singh, S/o Late Bhattu Singh, Resident of Line Par Mirjapur,
P.O. + P.S. Nawada, District Nawada.
6. Sandeep Kumar, S/o Arun Prasad Barnwal, Resident of Purani Bazar,
Nawada, P.O. + P.S. Nawada, District Nawada.
7. Kumar Hussain Rijawi, S/o Syad Imitayaj, Resident of at + P.O.
Sonsah, P.S. Hisua, District Nawada.
8. Manoj Kumar, S/o Basant Mistri, Resident of Ram Nagar, Nawada, P.O.
+ P.S. Nawada, District Nawada.
9. Pradeep Kumar, S/o Late Binod Kumar Barnwal, Resident of at + P.O.
Chandi Ashthan, District Nawada.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Respondent/s : Mr. AC to SC-24

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-09-2017

Heard Mr. Jai Prakash Singh, learned counsel

for the petitioner and learned AC to SC-24 for respondent nos. 1 to

4.

The present Writ application has been filed for a direction to the respondent authorities to get the shop of the petitioner vacated, which has forcibly been occupied by respondent nos. 5 to 9 situated on the land appertaining to Khata No. 172, Plot No. 431 in Pratima Market, Nawada.



Statements have been made in paragraph nos. 5 and 6 of the Writ application that the petitioner leased out the shops on rent to respondent nos. 5 to 9 on the basis of lease document on a non-judicial affidavited stamp papers, but now the respondent nos.5 to 9 are not vacating the shops in question.

Considering the nature of dispute, the appropriate remedy for the petitioner, would be, by filing a suit before the Civil Court of competent jurisdiction.

However, the office concerned is directed to examine as to how the last Annexure and the Vakalatnama are found in torn condition.

Accordingly, this Writ application is disposed of with liberty to the petitioner to avail the alternative remedy.

(Dinesh Kumar Singh, J)

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