

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3063 of 2008

Manju Devi, Wife of Late Kapildev Prasad, Resident of Mohalla-Sahjadpur
Andar Kila, Hazipur, P.S.- Hazipur Nagar, District-Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Siwan.
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police, Siwan.
4. The Sub-Divisional Officer, Siwan.
5. The Circle Officer, Siwan.
6. Phul Sundari Devi, Wife of Parsuram Singh, Resident of By Pass Road,
Kandhwara Mohadinpur, P.S.-Siwan, Police Station-Siwan, District-Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Adv.
For the Respondent/s : Mr. (GP19)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 10-10-2017 Heard learned counsel for the petitioner and respondent-State. However, none appears on behalf of respondent no.6.

The present writ application has been filed for a direction to the respondent authorities to get the private house of the petitioner vacated, which has been illegally occupied by respondent no.6 and others, situated on the land appertaining to Khata No. 188, Thana No. 206, Tauzi No. 3834.

It is submitted by learned counsel for the petitioner that the land in question is the raiyati land of the petitioner. Though, proceeding under Section 144 Cr. P.C. was initially dropped and revision against the same was dismissed, but respondent no.4, the Sub-Divisional Officer, Siwan, vide order dated 25.07.1998,



directed respondent no.6, Phul Sundari Devi to vacate the house in question within a period of ten days and the said order was affirmed by the District Magistrate, Siwan, vide order dated 22.09.1998, but till date, the same has not been vacated.

In view of the nature of relief prayed for by the petitioner, learned counsel for the petitioner seeks permission to withdraw the present writ application to take recourse to the appropriate remedy available under the law.

Permission is accorded.

Accordingly, the present writ application is dismissed as withdrawn.

(Dinesh Kumar Singh, J)

Amrendra/-

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