

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1032 of 2014

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1. Digvijay Sharma S/o Jagdish Sharma Resident of Village Sharma Tola, Ward No. 6,
P.S. Govindganj (Areraj O.P.), District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramakant Sharma
3. Ramanand Sharma Both are S/o Binda Sharma
4. Kishori Kunwar W/o Late Punyadev Sharma
5. Surendra Sharma S/o Harkesh Sharma All are Resident of Sharma Tola, Ward No. 6,
P.S. Govindganj (Areraj O.P.), District East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Adv

For the State : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 28-02-2017

The order dated 19.08.2014 passed by the learned
S.D.J.M., Areraj, East Champaran, in exercise of power under
Sections 144 of the Code of Criminal Procedure Code, 1973,
whereby, allowing the prayer made on behalf of the Opposite Party
Nos. 2 to 5, he has restrained the petitioner and his family members
from entering into the disputed land described as Khata No. 141,
Khesra No. 1929, Area 1 Katha 6 Dhurs, Plot No. 1928, Area 2
Dhurs, is under challenge in the present criminal revision application.

Since, the effect of the impugned order has vanished
with lapse of time, this application has become infructuous.



Learned counsel appearing on behalf of the petitioner has, however, pointed out that while passing the impugned order, learned S.D.J.M., Areraj, East Champaran has accepted the claim of the opposite parties and such finding may prejudice the petitioner's claim in different proceedings.

It is, therefore, made clear that any observation made in the said order shall not prejudice the petitioner's claim of his title or possession, over the said property, in any other proceeding for substantive adjudication of dispute in relation thereto.

This application is disposed of with observation as above.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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