

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9968 of 2017

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Abdul Momin, Son of Late Rahimuddin, Resident of Village - Puraini, P.S.-
Salkhua, District- Saharsa, presently working at G.F. College, Sahjahanpur,
U.P. as Professor.

... .. Petitioner

Versus

1. The State of Bihar, through the Secretary, Home Department, Govt. of Bihar,
Patna.
2. The District Magistrate, Saharsa.
3. The Superintendent of Police, Saharsa.
4. Md. Mobinduddin, Son of Late Wahabuddin, Resident of Village- Puraini,
P.S.- Salakhua, District- Saharsa.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Adv.
For the Respondent/s : Mr. Partha Sarthi-GA 4

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 27-09-2018

Heard Mr. Binay Kant Mani Tripathi, learned counsel
for the petitioner and Mr. Apurva Kumar, learned AC to GA 4 for
the Respondent-State.

In view of the nature of order this Court intends to pass,
this Court is not inclined to issue notice to Private Respondent
No.4.

The present writ application has been filed for a
direction to the respondent authorities to provide adequate
protection to the life and property of the petitioner.

It is submitted by learned counsel for the petitioner that
the petitioner's native village is situated in the District of Saharsa
whereas he works as a Professor at G. F. College, Shahjahanpur, in



the State of Uttar Pradesh. Whenever, the petitioner comes to his native place, he is not allowed to enjoy his property at the behest of Respondent No.4, who happens to be the relative of the petitioner. The petitioner has also submitted representations before the Commissioner, Koshi Division, Respondent No.2, the District Magistrate, Saharsa, and Respondent No.3, the Superintendent of Police, Saharsa, as contained in Annexure-2 and 3, but till date no action has been taken. Hence, the present writ application.

Learned AC to GA 4 submits that counter affidavit has been filed on behalf of Respondent No.3, the Superintendent of Police, Saharsa, to the effect that the issue basically relates to title dispute between the petitioner and Respondent No.4 and Title Suit No. 163 of 2011 is still pending in the court of learned C.J.M., Saharsa.

Having heard the learned counsel for the parties, this Court is of the view that the district administration is obliged to protect the life and property of the citizens who are residing within their territorial jurisdiction.

In the circumstances, it is expected from the petitioner to submit fresh representations before Respondent No. 2, the District Magistrate, Saharsa and Respondent No.3, the S. P., Saharsa within a period of three weeks from the date of receipt/production



of a copy of this order, whereupon it is expected from Respondent No. 2, the District Magistrate, Saharsa and Respondent No.3, the Senior S. P., Saharsa to dispose of the same with a speaking and reasonable order within a period of four weeks from its submission.

Accordingly, with the above observation and direction the present writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

