

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17598 of 2015

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1. Virendra Kumar, S/o Shivnath Sah, resident of Village- Jamuniya, P.S.- Sahodra, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar .
2. District Magistrate, Bettiah, West Champaran.
3. Sub-Divisional Magistrate, Narkatiaganj, West Champaran.
4. Circle Officer, Narkatiaganj, West Champaran.
5. Superintendent of Police, Bettiah, West Champaran.
6. Officer-in-Charge, Sahodra P.S., West Champaran.
7. Sheikh Wasiyar, S/o Sheikh Anamul, Village- Kewaha, P.S.- Sahodra, District- West Champaran.
8. Dayashankar Prasad, S/o Late Yadunath Prasad, Village- Shekhula, P.S.- Shekarpur, District- West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary
For the Respondent/s : Mr. SC8- Kumar Alok

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-10-2018

Heard both sides.

The petitioner has filed this writ petition for a direction to the respondents to take suitable action against private respondent No.7, who is putting hindrance in peaceful possession of the petitioner and is trying to dispossess the petitioner from the land.

The learned counsel for the petitioner submits that petitioner purchased 4 ½ dhur of land of Khata No. 21, Khesra No. 15, situated in village Yamunia, District West Champaran on



20.01.2015 from respondent No.8. Respondent No.7 started putting hindrance in peaceful possession and enjoyment of the petitioner claiming that respondent No.8 had earlier agreed to transfer the land through registered sale deed in favour of respondent No.7. The petitioner filed petition before the S.D.M., Narkatiyaganj and on such a proceeding under Section 107 of the Cr. P. C. was initiated. It is submitted that petitioner requires protection under the law from his dispossession over the land but I find that this court in writ jurisdiction cannot declare title of the petitioner. On the petition of the petitioner the S.D.M. has already initiated a proceeding under Section 107 of the Cr. P. C. If the petitioner is at all aggrieved by action of respondent No.7 he may file suit before the civil court of competent jurisdiction for redressal of his grievance. Accordingly, I do not find any merit in this writ petition and the same is, accordingly, dismissed.

(Prabhat Kumar Jha, J)

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