

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13506 of 2017

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Usha Devi, Wife of Sugar Das, Resident of Village - Siraja, Post Office -
Baliya, Police Station - Baliya, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, Begusarai.
4. The Sub Divisional Officer, Baliya, Begusarai.
5. The Circle Officer, Baliya, Begusarai.
6. The Officer-in-Charge, Baliya, Begusarai.
7. Upendra Das, Son of Late Parmeshwar Das, Resident of Village - Siraja, Post Office - Baliya, Police Station - Baliya, District - Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar, Adv.
For the Respondent/s : Mr. Khurshid Alam- AAG12

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 04-10-2018

Heard Mr. Arbind Kumar, learned counsel for the
petitioner and Mr. Majid Mehboob Khan, learned AC to AAG 12
for the respondent-State.

Considering the nature of prayer made in the writ
application and in view of the nature of order this Court intends to
pass, this Court is neither inclined to adjourn the matter any further
nor is inclined to issue notice to private Respondent No.7.

The present writ application has basically been filed for
a direction for disposal of the Case No. 155 of 2017, pending
before Respondent No.4, the Sub-Divisional Officer, Baliya with
regard to proceeding initiated under Section 144 Cr. P.C. and to



restrain Respondent No.7, from disturbing the peaceful possession of the petitioner over the land appertaining to Khata No.158, Plot No.447, Thana No.387, Tauzi No.186, situated in Mauza Phulawariya, District Begusarai.

The present writ application was registered on 13.09.2017, but there is nothing on record to suggest whether Case No. 155 of 2017 has been disposed of or not, but if the said case has not been disposed of till date, it is expected from Respondent No.4, the Sub-Divisional Officer, Baliya to dispose of the same expeditiously.

So far as, the prayer made for restraining the Respondent No.7, from disturbing the peaceful possession of the petitioner over the land in question, is concerned, this Court in the present proceeding cannot decide the question of title and possession of the petitioner over the land in question, which requires leading of evidence. Moreover, the District officials are better placed to decide what kind of protection can be provided to the petitioner.

In the circumstances, if the petitioner is having valid title over the land in question, he is expected to file appropriate representation before the Respondent No.3, the District Magistrate, S.P., Begusarai, within a period of three weeks from the date of



receipt/production of a copy of this order, who will dispose of the same considering the grievance of the petitioner, within a period of four weeks of its submission.

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

(Dinesh Kumar Singh, J)

Amrendra/Deepak/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

