

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9041 of 2017

=====

Aditya, Son of Ganesh Prasad Singh, Resident of Shivaji Path, Yarpur, P.O.
and P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. Sri Umesh Prasad Sinha, Son of Late Ram Kripal Sinha, Resident of Shivaji Path, Yarpur, P.O. and P.S.- Gardanibagh, District- Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh
For the Respondent/s	:	Mr. Md. N.H. Khan-Sc1

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-09-2018 Heard Mr. Bipin Bihar Singh, learned counsel for the

petitioner and Md. N.H. Khan, learned SC 1 for the Respondent-

State.

In the 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 district administration, particularly, the District
Magistrate and Sr. S.P., Patna to give necessary protection to the
life and property of the petitioner.

It is submitted by learned counsel for the petitioner
that on the purchased land of the petitioner, private Respondent



No.4, being the A.S.I., of Police is creating obstruction and in spite of the representation being submitted before the Chief Secretary, Government of Bihar on 15.05.2015 and Sr. S.P., Patna on 27.07.2015, as contained in Annexure-2(series), no action has been taken. Hence, the present writ application.

Learned SC 1 submits that at present, he is not having any instruction whether the representations of the petitioner has been disposed of or not, but if the petitioner submits fresh representation before Respondent No. 2, the District Magistrate, Patna and Respondent No.3, the Senior S.P., Patna then the same will be disposed of within a time frame.

Having heard learned counsels for the parties, this Court is of the view that if the petitioner is having a valid right, title and possession over the land in question, then it is the obligation of the District administration to ensure that no one should obstruct the petitioner in enjoying the said property.

In the circumstances, it is expected from the petitioner to file fresh representation before Respondent No. 2, the District Magistrate, Patna and Respondent No.3, the Senior S.P., Patna 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, Patna



and Respondent No.3, the Senior S.P., Patna to dispose of the same with speaking and reasonable order within a period of four weeks from its submission.

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

(Dinesh Kumar Singh, J)

Amrendra/-

U			
---	--	--	--

