

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.631 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Aurangabad

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Rama Prasad, Son of late nursing Prasad Resident of Village- Jogiya, P.S.
Baroon, District- Aurangabad(Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate Aurangabad.
3. The Sub Divisional Officer, Aurangabad.
4. Circle Officer Barun, District- Aurangabad.
5. Satish Prasad
6. Kundan Prasad
7. Dullgesh Prasad
8. Vikaramaditya Prasad All are Sons of late Shidheshwar Prasad Resident of
Village- Jogiya, P.S. Baroon, District- Aurangabad(Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Leelawati Kumari
For the Respondent/s : Mr. Rishi Raj Sinha, SC 19

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-10-2018 This writ application has been preferred seeking

direction to the Sub Divisional Officer, Aurangabad to dispose

of and conclude Case No. 2876 of 2015 which is pending before

the authority concerned for over two years.

Learned counsel for the petitioner submits that the

petitioner has preferred an application under Section 188 of the

Indian Penal Code for taking action against the private

respondents before the Sub Divisional Magistrate, Aurangabad

on 19.12.2015 as, according to the petitioner, private

respondents have violated the order issued on 12.12.2015 under



Section 144, CrPC.

Learned counsel for the State is present.

In the nature of relief prayed for in the present application, no notice is required to be issued to the private respondents at this stage. Without going into the merit of the contentions of the petitioner, this Court would direct the Sub Divisional Officer, Aurangabad that in case an application has been preferred by the petitioner before him, the same should be considered and disposed of within a period of 60 days from the date of receipt/production of a copy of this order.

The authority concerned shall take an independent view and dispose of the matter within the stipulated period as this Court has neither gone into merit of the case nor has expressed any opinion in respect of the application filed by the petitioner which is pending over two years.

The writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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