

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13368 of 2018

Most. Munna Devi, Wife of Late Bhola Paswan, Resident of Village- Sandalpur, Police Station- Bahadurpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Superintendent of Police, City, Patna.
5. The Registrar, Patna Circle, Patna.
6. The Sub Registrar, Patna.
7. The Sub Divisional Police Officer, Patna City, Patna.
8. The Sub Divisional Officer, Patna Sadar, Patna.
9. The Circle Officer, Patna Sadar, Patna.
10. Rita Devi, Wife of Late Ganesh Paswan, Resident of Village- Sandalpur, Police Station- Bahadurpur, District- Patna.
11. Pratima Devi, Wife of Late Yogendra Paswan, Resident of Village- Daut Bigaha, Police Station- Agamkuan, District- Patna.
12. Rekha Devi, Wife of Nagendra Paswan, resident of Village- Khadi, P.O.- Dhanyama, Police Station- Hilsa, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.
For the Respondent/s : Dr. Mankeshwar Tiwari, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 23-08-2018

Heard learned Counsels for the petitioner and the respondent-State.

The present writ application has been filed for a direction to the respondent authorities, particularly, the Respondent Nos. 10 to 12 not to disturb the possession of the petitioner over the land appertaining to Thana No.11, Plot No. 3279, Khata No. 563. Further prayer has been made for a direction to respondent to reconstruct portion of the structure demolished by Respondent No. 10.



It is submitted by learned counsel for the petitioner that the land in question was purchased by the husband of the petitioner. The only son of the petitioner died subsequent to the death of the husband of the petitioner and thereafter the private respondents along with the antisocial elements tried to take the possession of the land in question and they also demolished the structure situated over the land in question.

Considering the fact that the relief as prayed for by the petitioner in the present writ application cannot be considered without going into the question of title and possession of the petitioner over the land in question as well as the nature of structure made over it, which cannot be done without leading of evidence. Hence, the appropriate remedy for the petitioner is of filing a proper suit before the Civil Court of competent jurisdiction.

In view of the above facts, the writ application is disposed of with a liberty to the petitioner to take recourse to the appropriate remedy before the appropriate forum.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

