

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3157 of 2018

In
Civil Writ Jurisdiction Case No.10742 of 2017

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

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Gajendra Kumar Singh, Son of Late Suresh Narayan Singh, Resident of Village-Poiwan, P.S.-Muffasil, District-Aurangabad.

... .. Petitioner

Versus

1. The State of Bihar, through the District Magistrate-cum- Collector, District-Aurangabad.
2. The Superintendent of Police, District-Aurangabad.
3. The Sub Divisional Officer, Aurangabad.
4. The Deputy Superintendent of Police, Aurangabad.
5. The Officer In Charge of Town Police Station, Aurangabad.
6. Matloob Ahmad, Son of Late Md. Ishaque, resident of Shahganj, P.S. and District-Aurangabad.
7. Arun Kumar Soni, Son of Late Kailash Prasad Soni, Resident of Mohalla-Near Surya Mandir, Yamunna Nagar, P.S and District-Aurangabad.
8. Sanbeer Alam @ Md. Tannu, son of Amiru Alam, Resident of Mohalla-Shahganj, P.S. and District-Aurangabad.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Kamendra Pd. Singh, Advocate
For the Respondents-State:		Mr. Prabhat Kumar Verma, AAG-3

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 06-08-2019

This application has been filed by the petitioner under Article 226 of the Constitution of India for directing the respondent no.5 i.e. the Officer-in-charge of Town Police Station, Aurangabad for compliance of the order dated 30.01.2017 passed by the learned Executive Magistrate, Aurangabad in Case No.1583 of 2016, Tr. No.59 of 2016.



2. In my considered opinion, a direction under Article 226 of the Constitution of India can not be issued for implementing an order passed by a court of Executive Magistrate. The writ jurisdiction of this Court can not be reduced to the stage of an executing court of an Executive Magistrate.

3. In that view of the matter, I am not inclined to entertain this application. The application is dismissed.

4. In case, the petitioner has got any grievance with regard to non-implementation of the order passed by an Executive Magistrate, he can approach the court concerned for taking proper action for disobedience to order duly promulgated by public servant.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.08.2019
Transmission Date	NA

