

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2821 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

Arbind Kumar Sinha son of Late Narendra Narayan Lal, Resident of
Yasodakunj, Tejpratap Nagar, P.S.- Beur and District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Director General of Police, Bihar, Patna.
3. Additional Director General of Police, Bihar, Patna, CID Crime Branch.
4. Senior Superintendent of Police, Patna.
5. Superintendent of Police, Patna.
6. Sub-Divisional Officer, Patna Sadar.
7. Anchala Adhikari (C.O.) Phulwari Sharif, Patna.
8. S.H.O., Beur Police Station, Patna.
9. Laxmi Devi, wife of Amit Paswan, Resident of Tej Pratap Nagar, P.O.-
Anisabad, P.S.- Beur and District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mohammed Abu Haidar, Advocate Mr. Abu Shajar, Advocate
For the Respondent No.9	:	Mr. Ashok Kumar Sinha No.3, Advocate
For the State	:	Mr. Ajay Kumar, AC to GP- 4

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-07-2019 This application under Articles 226 and 227 of the

Constitution of India has been filed by the petitioner for

directing the respondent authorities to restrain respondent no.9

from interfering with peaceful possession and further restraining

her from creating trouble, disturbance and hindrance over the

land in question, which is being used by the petitioner after

purchasing the same.



Several disputed facts have been raised in the writ petition regarding ownership of the land in question.

A counter affidavit has been filed on behalf of respondent no.9 in which it has been stated that the respondent no.9 has filed Title Suit No.04 of 2012 before the Munsif-II, Patna for declaration of private Rasta/ Road in Plot No.276 northern end - western side which is connected in public road. Since the said suit was dismissed for want of prosecution, a miscellaneous case was filed in the court for restoration of the suit which is still pending.

Since the dispute is purely of a civil in nature and a suit is already pending in the Court of Munsif, I am not inclined to entertain this application in extraordinary writ jurisdiction under Article 226 of the Constitution of India.

The application is dismissed.

(Ashwani Kumar Singh, J)

Md. S/-

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