

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10500 of 2019

Chhathu Pasi alias Chhathu Prasad son of Late Laturi Prasad @ Laturi Pasi
Resident of Village- Chainpur, P.O. and P.S.- Chainpur, District- Kaimur
(Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Kaimur (Bhabhua).
2. The Superintendent of Police, Kaimur (Bhabhua).
3. The Sub- Divisional Magistrate, Bhabua (Kaimur).
4. The Circle Officer, Chainpur, Kaimur.
5. The Police-in charge, P.S.- Chainpur, Kaimur.
6. Gunjan Pasi Son of Late Bikau Pasi resident of Village and P.S.- Chainpur, Kaimur (Bhabhua).
7. Sanjay Pasi S/o- Late Bikau Pasi resident of Village and P.S.- Chainpur, District- Kaimur (Bhabhua).
8. Budhu Pasi S/o Late Ghur Bigan Pasi resident of Village, P.O. and P.S.- Chainpur, District- Kaimur (Bhabhua).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar
For the State	:	Mr.Sajid Salim Khan (SC-25) Mr. W.A. Khan, Ac to SC 25

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-05-2019 This matter has been listed with office notes, pointing out certain defects. However, considering the nature of the relief, which the petitioner has sought, ignoring the defects, I have proceeded to hear the learned counsel for the parties on merits.

Heard the parties.

Following is the relief, which the petitioner is seeking in the present writ application:-

“1. That the writ petition has been filed for issuance of an appropriate order/orders, direction/directions including a writ preferable in the nature of mandamus commanding and directing upon the State



respondents not to construct for private respondent on the land of the petitioner measuring 0.05 decimal situated in Mauza Chainpur appertaining to thana 310, khata-307, khesra no.1423, Rakaba 0.05 decimal within the District of Kaimur. Further the state Respondents be directed not to disturb the possession of the petitioner over the said land who is paying rent to the State of Bihar regularly and have been granted to which rent receipts have been issued.”

It is evident from the relief, which the petitioner has sought and the pleadings, which are there on record, that it is purely a private civil dispute between the petitioner and the private respondents, which cannot be adjudicated upon in a proceeding under Article 226 of the Constitution of India. This writ application cannot be maintained.

The petitioner shall have liberty to approach appropriate forum, including the civil court of competent jurisdiction for adjudication of the dispute, in accordance with law.

The writ application is accordingly disposed of.

(Chakradhari Sharan Singh, J)

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