

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10305 of 2014

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Subesh Ram S/o Sukhdeo Ram, resident of village- Barki Bela, P.S.-
Aurangabad Mufasil, District- Aurangabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Aurangabad
3. The Deputy Collector Land Reforms, Aurangabad
4. Chhote Ram
5. Pintu Ram
6. Mantu Ram All No. 4 to 6 are sons of Late Kailash Ram, resident of village-
Barki Bela, P.S.- Aurangabad Muffasil, District- Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Adv
For the Respondent/s : Mr. SC14- Dr. Anshuman

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
Date : 21-05-2019

Heard learned counsel for the petitioner and learned
counsel for State.

2. This application has been filed by the petitioner that
he may not be dispossessed from the land which he has
purchased from his vendor having right, title and interest over
the property and pursuant to sale deed the land has also been
mutated in the name of petitioner. The DCLR has ordered the
lands to be mutated in the name of petitioner which was
contested by the private respondents, however, they lost in the
mutation proceeding and the order attained finality, as against



the said order they did not prefer any appeal.

3. A counter affidavit has been filed on behalf of State, in which it has been stated that right, title and possession over the purchased land has been decided in favour of vendor of petitioner/petitioner but still private respondents are threatening to forcibly dispossess petitioner from the land. A letter of DCLR, Aurangabad, has also been enclosed as Annexure-A, in which DCLR, Aurangabad, has written to Circle Officer, Aurangabad, that the possession of the petitioner over his purchased land should be protected by the Administration.

4. Even after issuance of notice to private respondents they have not chosen to appear and contest the matter.

5. A supplementary affidavit has been filed on behalf petitioner that during pendency of this writ petition effort is being made by the private respondents to dispossess him although in the civil/ revenue proceeding order has been passed in favour of petitioner and his vendor.

6. Considering the statement made in counter affidavit the District Magistrate, Aurangabad and Superintendent of Police, Aurangabad, are directed to take necessary action and steps on the representation of the petitioner to protect his lawful possession over the land in question.



With aforesaid observation and direction, the writ
petition is disposed of.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.05.2019
Transmission Date	NA

