

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10266 of 2012

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Bharat Jha S/O Late Nishakar Jha R/O Village-Benipatti, P.S.- Benipatti,
District- Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department Of Home
2. The Secretary Department Of Home, Govt. Of Bihar, Old Secretariat, Patna
3. The Collector-Cum-District Magistrate, Madhubani
4. The Superintendent Of Police, Madhubani
5. The Sub-Divisional Officer, Benepatti
6. The Deputy Superintendent Of Police, Benipatti
7. The Circle Officer, Benipatti Anchal
8. The Officer-In-Charge Benipatti Police Station, Benipatti, Madhubani
9. Dharam Kumar Jha S/O Late Jib Narayan Jha R/O Village- Brahmpura,
Police Station- Arer, District- Madhubani
10. Satish Chandra Jha S/O Late Deb Chandra Jha R/O Village- Sapta, P.S.-
Madhubani, District- Madhubani
11. Bidya Nand Jha S/O Late Tej Narayan Jha R/O Village- Benipatti, District-
Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Shailendra Kumar Jha, Advocate
For the State : Mr. H.S. Roy, AC to AG

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-01-2019 Heard the parties.

In the present writ application, the following reliefs
have been sought for on behalf of the petitioner :

1(i) For issuance of an appropriate writ, order or
direction to the Respondent Nos.3 to 7 to order the
Respondent No.8 to remove/oust the Respondent
NO.9 from the ancestral land of the petitioner as all
the official respondents are in league with the
Respondent Nos.9 to 11 who have been taking law
into their hands by constructing house on the land of
the petitioner despite his repeated requests in writing



all the official respondents are sitting tight over the matter.

(ii) For further direction to the official respondents to ask the Respondents No.9 to 11 to stop the reign of terror as they have let loose by forcibly capturing the land of the petitioner by making a forged and fabricated sale deed from the person who has no power to sell the land.

The reliefs sought for in the present writ application is against the private respondents for evicting them from the land in question belonging to the petitioner. Such disputed facts cannot be looked into under Article 226 of the Constitution of India.

Counsel for the petitioner seeks permission to withdraw the present writ application with the liberty to approach before the Civil Court with competent jurisdiction for redressal of his grievance.

Permission is accorded.

With the aforesaid liberty, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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