

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.846 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Gaya

Uma Devi, Wife of Late Ram Lakhan Singh, Resident of Village-Tarava, P.S.-
Vajiraganj, District- Gaya.

... .. Petitioner

Versus

1. The State of Bihar through the Commissioner, Magadh Division, Gaya
2. The District Magistrate, Gaya.
3. The Senior Superintendent of Police, Gaya
4. The Sub Divisional Officer, Sadar, Gaya
5. The Officer-in-charge, Wajirganj Police Station, District- Gaya.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad, SC-8

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 15-05-2019

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

2. This application under Articles 226 and 227 of the
Constitution of Indian has been filed by the petitioner for issuance
of direction to the respondent authorities particularly respondent
no.3 to comply the order passed by the Commissioner, Magadh
Division, Gaya dated 13.01.2019 contained in Memo No.156 by
which a request has been made to the Collector, Gaya to allot
adequate force for demarcation of the land of the petitioner. The
petitioner has further prayed to direct the respondent authorities to



allot the police force for measurement of the land of the petitioner or any other relief or reliefs to which the petitioner may be found entitled too in the facts and circumstances of the case.

3. In the opinion of this Court, the writ petition is misconceived. Once an order has been passed by the Commissioner and the Sub Divisional Magistrate, it is for them to get their orders executed. The provisions prescribed under Article 226 of the Constitution of India can not be misused for the purposes of execution of an order passed by a sub-ordinate court or authority.

4. The application is dismissed.

5. However, the petitioner would be at liberty to take statutory remedies available in law for the redressal of her grievances.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.05.2019
Transmission Date	18.05.2019

