

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13220 of 2019**

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Shushil Kumar S/O- Late Nandu Lal, R/O Village- Nawada Madhubagh, P.S.-  
Nawada, District- Aara. At present- R/O village, Old Town, Nalband Toli,  
Ward no. 8, Daudnagar, P.S. Daudnagar, District Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar Patna.
2. The Collector cum District Magistrate, Aurangabad.
3. The Additional Collector, Aurangabad.
4. The Sub-Divisional Officer, Daudnagar, Aurangabad.
5. The Deputy Collector of Land Resolution (DCLR) Aurangabad.
6. The Superintendent of Police, Aurangabad.
7. The Station Head Officer, Daudnagar Aurangabad.
8. Suraj Ram Son of Late Sita Ram, Residence of village- Old Town, Nalband Toli, ward no. 8, Daudnagar, P.S. Daudnagar, District Aurangabad, Bihar.
9. Ranu Ram Son of Suraj Ram Residence of village- Old Town, Nalband Toli, ward no. 8, Daudnagar, P.S. Daudnagar, District Aurangabad, Bihar.
10. Sonu Ram Son of Suraj Ram Residence of village- Old Town, Nalband Toli, ward no. 8, Daudnagar, P.S. Daudnagar, District Aurangabad, Bihar.
11. Monu Ram @ Kakku, Son of Suraj Ram, Residence of village- Old Town, Nalband Toli, ward no. 8, Daudnagar, P.S. Daudnagar, District Aurangabad, Bihar.
12. Bukun @ Sunil Ram Son of Suraj Ram, Residence of village- Old Town, Nalband Toli, ward no. 8, Daudnagar, P.S. Daudnagar, District Aurangabad, Bihar.
13. Bhim Ram, Son of Suraj Ram, Residence of village- Old Town, Nalband Toli, ward no. 8, Daudnagar, P.S. Daudnagar, District Aurangabad, Bihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan  
For the State : Mr. Rishi Raj Sinha (SC-19)  
Mr. Saurabh Kumar, AC to SC 19

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      17-07-2019

Heard the learned counsel for the parties.

The petitioner is seeking a direction to the



respondents to restrain respondent nos. 8 to 13 from encroaching upon the land, which the petitioner has recently purchased.

Allegedly, the said respondent nos. 8 to 13 are constructing a house over the said land of the petitioner.

I am afraid, a writ application under Article 226 of the Constitution of India cannot be maintained for such private dispute between the two parties, which may be touching the respective claims of their title.

This writ application is, thus, disposed of with an observation that the petitioner shall be at liberty to approach appropriate forum, in accordance with law, for resolution of the dispute, in question.

**(Chakradhari Sharan Singh, J)**

HR/-

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