

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1651 of 2019

Arising Out of PS. Case No.-161 Year-2018 Thana- GAURICHAK District- Patna

ANIRUDH KUMAR @ ANIRUDH KUMAR SINGH Son of Sri Prabhu Narayan Singh Resident of Rajendra Nagar, 13B, Naya Chak, P.S.- Bahadurpur, District-Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE CHIEF SECRETARY, GOVT. OF BIHAR, PATNA Patna.
2. The District Magistrate, Patna, District-Patna. Patna.
3. The D.G.P., Bihar, Patna. Patna.
4. The S.D.O., Patnacity, Patna. Patna.
5. The Chief Engineer, Department of Electricity, State of Bihar. Bihar
6. The Executive Engineer, Electricity, Masaurhi, Patna. Patna.
7. Manish Kumar @ Manish Kumar Singh Son of Mithlesh Kumar Singh Resident of Ashok Bihar Colony, Vachaspati Nagar, Kumhrar, P.S.- Agamkuan, District-Patna.
8. The A.C.J.M., VII, Civil Court, Patna City, Patna. Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kameshwar Singh
For the Respondent/s	:	Mr.Prabhat Kumar Verma

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 05-12-2019

Heard learned counsel appearing for the parties.

The present writ application has been filed for quashing the order dated 18.09.2018 passed by the A.C.J.M.-VII, Patna City in Gaurichak P.S. Case No. 161 of 2018 (G.R. No. 2600 of 2018 by which the application filed by the respondent No.5 has been allowed.

Brief facts of this case is that the respondent No.5 was running a illegal factory of cement on the disputed land and



on complain of the petitioner, the factory of cement has been seized on 31.05.2018 by the authorities but on the application filed by the respondent No.5 for reopening of his factory in question, the learned A.C.J.M.-VII, Patna City vide order dated 18.09.2018 has directed the S.D.O., Sadar, Patna to unseal the factory in question and hand over its possession to the respondent No.5. Further, the petitioner has approached several concerned authorities by filing the several representations, but no action has been taken by the authorities on his representations. Being aggrieved by the said order, petitioner has come before this Court for quashing of the aforesaid order.

Considering the facts and circumstances involved in this case and the fact that petitioner has an alternative remedy of moving before the competent Court of law in an appropriate proceeding, which he has not availed, this Court is not inclined to interfere in the matter in exercise of its extra ordinary writ jurisdiction under Article 226 of the Constitution of India.

The criminal writ application, accordingly, stands dismissed.

(Arvind Srivastava, J)

Brajesh/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

