

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.204 of 2020

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

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SUDAMA KUMAR Son of Mangal Chand Resident of Village - Pachhatti,
P.S.- Bodhgaya, Distt.- Gaya.

... .. Petitioner

Versus

1. THE STATE OF BIHAR THROUGH HOME SECRETARY, GOVT. OF BIHAR, PATNA
2. District Magistrate, Gaya
3. Senior Superintendent of Police, Gaya.
4. Sub-divisional Officer, Sadar, Gaya.
5. Circle Officer, Bodhgaya, Dist.- Gaya.
6. Officer -in - Charge, Magadh University, Bodhgaya, Gaya.
7. Rajendra Prasad, Vice-Chancellor, Magadh University, Bodhgaya, Distt.- Gaya.
8. Sidhnath Prasad, DIN, Ragistrar of Magadh University, Bodhgaya, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bibhuti Narayan, Advocate
For the Respondent/s : Mr.Sheo Shankar Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-02-2020 This writ application in only misconceived and the manner in which it has been framed cannot be entertained by a Writ Court.

Petitioner is seeking a direction to the respondent authorities particularly Respondent Nos. 6, 7 and 8 who are the officers of the Magadh University not to make any interference with the possession of the petitioner over the land in question.

It is the submission of the petitioner that earlier



proceeding under Section 144 Cr.P.C. was initiated on the complaint made by the University vide Misc. Case No. 1930 of 2018 which was finally dismissed but the University stopped the construction work which was being carried out by the petitioner over the land and they are claiming that the land belongs to the University.

In sum and substance, the petitioner is looking for a declaration of his right, title and possession over the land in question and to restrain the University from staking their claim on the land. Such disputes cannot be entertained in a writ petition under Article 226 of the Constitution of India.

This application has, thus, no merit, it is dismissed accordingly leaving it open for the petitioner to seek his remedy as may be advised in accordance with law.

(Rajeev Ranjan Prasad, J)

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