

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1732 of 2019

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

PREMA DEVI W/O- Late Sachidanand Sharma Resident of Village- Saraiya
Lakhna, P.S.- Gaurichak, District- Patna.

... .. Petitioner

Versus

1. THE STATE OF BIHAR THROUGH THE DIRECTOR GENERAL OF
POLICE BIHAR PATNA
2. The Director General of Police Bihar Patna
3. The Senior Superintendent of Police, Patna.
4. The Rural Superintendent of Police, Patna
5. The Officer- In-Charge of Gaurichak Police Station
6. Sanjay Kumar Son of Ashok sharma @ Ram Babu Sharma Resident of
Village- Saraiya Lakhna, P.S.- Gaurichak, District- Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar No1, Advocate
For the Respondent/s	:	Mr.Sheo Shankar Prasad, SC 8
		Mr. Anil Kumar, AC to SC 8

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 28-01-2020 The petitioner in the present case is seeking a direction to the respondents to grant her protection. She has alleged that her agnate has forcefully dispossessed her from dwelling house and has occupied her dwelling house after breaking the lock and also demolished her house and that they are making construction over the house of the petitioner.

Learned counsel for the petitioner has drawn the attention of this Court towards Annexure '1' and '2' to the writ application which are said to be the complaint submitted with the concerned police officers. In this regard submissions have also been made in paragraph '7' and '8' of the writ application.



On perusal of the statements made in the writ application it further appears that according to the petitioner, her dwelling house has been forcefully occupied by respondent no. '6' and her share has been amalgamated in the new construction.

In the opinion of this Court, this Court being a constitutional court sitting in its jurisdiction under Article 226 of the Constitution cannot go into a private land dispute between the petitioner and respondent no. '6'. The dispute being that of a property between the two parties, the petitioner may seek her remedy before the appropriate court of law.

So far as her protection is concerned, the respondent authorities shall assess her threat perception and in case it is found that she requires any protection, her request will be sent to the competent authority for consideration within a period of 30 days from the date of receipt/production of a copy of this order.

It is made clear that this Court has not gone into the merit of the contentions of the petitioner and shall not reflect upon the rights of the either parties.

The writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

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