

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1795 of 2019

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

RIO @ MD. RIO Son of Md Taffajul Hussain R/O - G.S.R. Apartment, Flat
No. 302, Ranipur Road, Alwa Colony, P.S.- Phulwarisharif, District- Patna
... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary Home Department, Patna Bihar
2. Principal Secretary, Home Department, Patna (Bihar)
3. Director General of Police, Patna (Bihar)
4. Inspector General of Police, Patna
5. Deputy Inspector General of Police, Patna
6. Senior Superintendent of Police, District- Patna
7. Superintendent of Police, Town, District- Patna
8. Inspector of Police, Circle-Phulwarisharif
9. Station House Office, Phulwarisharif
10. Annu Kumari Wife of Shri Ranjit Rajak Resident of Mohalla - Anandpuri, P.O. and P.S.- Khagaul, District- Patna
11. Shri Ranjit Rajak Son of Unknown Resident of Mohalla - Anandpuri, P.O. and P.S.- Khagaul, District- Patna
12. Md. Sultan Son of Md. Idris Resident of Railway Quarter No. 796, Loco Colony, P.O. and P.S.- Khagaul, District- Patna
13. Md. Shaïd Son of Unknown (Nephew of Md. Sultan) Resident of Railway Quarter No. 796, Loco Colony, P.O. and P.S.- Khagaul, District- Patna
... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Respondent/s : Mr.Sheo Shankar Prasad

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 07-01-2020

Heard learned counsels appearing for the parties.

The present writ application has been filed seeking
direction to remove the illegal possession made by respondent
nos. 10 to 13 over house flat no. 302, G.S.R. Apartment, Ranipur
Road, Alwa Colony, P.S. Phulwarisharif, District- Patna, in



connivance with respondent nos. 8 and 9 as the same belongs to mother of petitioner and petitioner was living in the said flat/house.

It is submitted that mother of the petitioner is the genuine owner of the flat in question vide registered sale deed from GSR Builder (Developer), Patna as is evident from the copy of the sale deed enclosed as Annexure-5 to this application.

From perusal of the record, it appears that the dispute involved between the parties is with regard to title and possession of a flat, which is purely civil in nature and for such settlement of such claim or dispute petitioner has an alternative remedy of moving before the competent Court below, which the petitioner has not availed.

In view of the discussions made above, this Court is not inclined to interfere in the matter in exercise of its extraordinary writ jurisdiction under Article 226 of the Constitution of India, as it has not been satisfactorily shown that the petitioner has no other alternative remedy for redressal of his grievances.

The writ petition, accordingly, stands dismissed.

(Arvind Srivastava, J)

mcv/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	
Transmission Date	

