

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1286 of 2020

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Siya Devi Wife of Late Jawahar Mahto Resident of Village- Tarwa Tola Jafra,
P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Commissioner, Magadh Division, Gaya.
 3. The District Magistrate, Gaya.
 4. The Sub-Divisional Officer, Sadar Gaya.
 5. The Superintendent of Police, Gaya.
 6. The Sub Divisional Police Officer, Muffasil Manpur, Gaya.
 7. The Circle Officer, Wazirganj, Gaya.
 8. The Incharge of Wazirganj Police Station, Wazirganj, Gaya.
 9. Lalo Yadav Son of Haldhar Yadav
 10. Mohan Yadav Son of Haldhar Yadav
 11. Vijay Yadav Son of Haldhar Yadav
- Sr. No.9 to 11 are resident of Village- Tarwa Tola, Jafra, P.S.- Wazirganj,
District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Shakir Ahmad
For the Respondent/s : Mr.Md. Khurshid Alam (AAG12)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-01-2020 Heard both sides.

The petitioner, who is a lady, filed petition before the Sub Divisional Officer to prevent the breach of the peace and restrain the private respondent Nos.9 to 11 not to interfere into the peaceful possession of the petitioner but the Sub-Divisional Officer by order dated 31.08.2019 dropped the proceeding initiated under Section 144 Cr.P.C. on the ground that the



opposite parties-respondent Nos.9 to 11 purchased the land from the husband of the petitioner but sale deed was not executed. The petitioners filed representation before the District Magistrate to provide private security to the petitioner.

On the face of it, it appears that the respondents are claiming the land by virtue of oral sale deed and wanted to take possession of the land by virtue of such oral sale deed made by late husband of the petitioner.

Considering the facts, I direct the District Magistrate, Gaya to take appropriate action in accordance with law, if the petitioner has been illegally dispossessed from the land. In writ jurisdiction, a direction cannot be issued to the private respondents to hand over the possession of the land illegally grabbed by them. The petitioner, if so advised, may file suit in competent Civil Court for grant of relief.

With the aforesaid observation, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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