

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6389 of 2020

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Sonawali Devi, wife of Sri Tribhuwan Singh, resident of Mohalla -
Indrapuri, Road No. 1, P.S. Shastri Nagar, P.O. Veterinary College, Patna,
District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Collector, Patna, District- Patna.
3. The Additional Collector, Patna, District- Patna.
4. The Sub-Divisional Officer, Sadar Patna, District - Patna.
5. The Deputy Collector Land Reforms, Sadar Patna, District- Patna.
6. The Circle Officer, Patna Sadar, District- Patna.
7. Dilawati Singh @ Chunchun Singh, wife of Jitendra Singh, resident of Siya Kunj, Kali Badi Road, Bye Pass Town, P.O. and P.S. Deoghar, District- Deoghar (Jharkhand).

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Ras Bihari Thakur, Advocate
For the Respondents : Mr. Raj Kishore Roy, GP-18
Ms. Prerna Anand, AC to Gp-18

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 29-11-2021

Heard learned counsel for the petitioner and learned counsel for the respondents. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The following reliefs as formulated by the petitioner have been claimed in the writ petition -



“(I) For issuance of appropriate writ in the nature of MANDAMUS, commanding and directing the respondent authorities to not disturb the peaceful possession of the petitioner in respect of Plot No. 201, pertaining to Khata No. 247 an area 3000 square feet situated in Mauza Salimpur Dumra, Thana No. 10, Anchal- Patna Sadar, District- Patna

(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the respondent no. 6 to not measure the land of the petitioner on the instance of respondent no. 7, who has no right, title and interest over the said land although respondent no. 7 is stranger and not concerned to land in question.

(III) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the respondent no. 6 to not take any action on the application of the respondent no. 7, although the case related to respondent no. 7 is pending in the court of respondent no. 2 i.e. Cancellation Jamabandi Appeal No. 225 of 2017, Mutation Appeal No. 14 of 2019 before the respondent no. 5 and the Sub-Divisional Public Complaint Redressal Officer office Sub-Division, Sadar, Patna.

(IV) During the pendency of this writ application in this Hon’ble Court, the respondent no. 6 be restrained to measure the land in question on the instance of respondent no. 7.

(V) For any other relief/reliefs for which the writ petitioner shall found entitled on the facts and circumstances of the case.”



3. Learned counsel for the petitioner submits that the present writ petition need not be pursued in view of the direction of the District Collector, Patna as the District Collector, Patna has in a connected proceeding directed the respondent no. 7 to seek remedy by filing a Civil Suit.

4. Having regard to the stand of the petitioner, the writ petition stands disposed of.

5. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02.12.2021
Transmission Date	N.A.

