

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.777 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Pramila Devi @ Sheela Devi, wife of Ram Pravesh Roy, R/village – Hazipurwa, P.O. Raghopur, P.S. - Judawanpur, District – Vaishali.

... .. Petitioner

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Deputy Inspector General of Police, Tirhut Range, Muzaffarpur.
3. The Superintendent of Police, Vaishali at Hazipur.
5. The District Magistrate, Vaishali, Hazipur.
6. The Superintendent of Police, Vaishali, Hazipur.
7. The Deputy Superintendent of Police, Vaishali, Hazipur.
8. S.H.O. Judawanpur Police Station, District - Vaishali, Hazipur.
9. Ambika Roy.
10. Raja Roy.
11. Surendra Roy.
12. Nanhak Roy.

All resp. 9 to 12 are sons of Sri Depi Roy.

All resp. no. 9 to 12 are resident of village – Judawanpur Barari, P.S. - Judawanpur, District – Vaishali.

13. Sita Ram Roy, son of Late Gulchan Ray, R/o village – Hazipur, P.S. - Judawanpur, P.S. - Judawanpur, district – Vaishali.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Amaresh Kumar, Advocate
For the Respondent/s : Mr.Iqbal Asif Niazi, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-11-2022 Although by filing this writ application the petitioner is seeking a direction to the respondent authorities to protect the life and property of the petitioner from the hands of respondent no. 9 to 12, this Court finds from the materials available on the record that the petitioner and the private respondents are litigating over the said piece of land in Title Suit No. 742/2015



presently pending in the learned Sub-Judge – 8, Vaishali at Hajipur.

Learned counsel for the petitioner submits that because of ongoing dispute between the parties over the said piece of land, sometimes law and order problems are arising but the respondent authorities are not even taking care of law and order problems and the complaints made in this regard to the said respondents remained unattended.

Learned counsel for the State submits that so far as the dispute between the petitioner and the private respondents are concerned, the same is already pending adjudication in the said suit, therefore at this stage, it would not be a fit case to exercise the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India. So far as the other grievance of the petitioner with respect to the maintenance of law and order issue is concerned, the same is definitely a duty of respondent authorities to look into it.

Having regard to the facts and circumstances of the case, while this Court would not enter into the merit of the allegations and claim of the petitioner with respect of the land in question, this Court directs respondent no. 6 to 8 to take note of the grievance of the petitioner and in case any complaint with



regard to the law and order issue is made before the S.H.O.
Judawanpur Police Station, the same must be attended to with
urgency and in accordance with law.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

