

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10496 of 2019

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Saraswati Devi wife of Ramfhal Mochi, resident of village- P.O.- Ramouli
Belaun, Police Station - Bahera, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Darbhanga, District - Darbhanga.
3. The Sub- Divisional Officer Benipur, District - Darbhanga.
4. The Circle Officer, Benipur, District - Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Verma
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 19-12-2022 Heard the parties.

The dispute of the petitioner and the private respondents cannot be decided by this Court in writ proceeding.

Learned counsel appearing for the petitioner has agreed to the fact that the filing of civil suit is the only solution in the matter. The private respondents have also agreed to co-operate in the civil suit which is to be filed by the petitioner for declaration of title and recovery of possession.

In these circumstances, this application is disposed of with an observation that if the petitioner files a civil suit for declaration of his title and recovery of possession then the same shall be decided by the concerned Court within one year of its



filing.

Learned counsels for the private respondents have given an undertaking that they will co-operate in the title suit and will not unnecessarily delay the disposal of the title suit.

If the title suit is filed by the petitioner then the same shall be disposed of within a year. The Court below will proceed ex-parte if the private respondents who may be the defendants in the case do not co-operate in the disposal of the title suit.

(Sandeep Kumar, J)

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