

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6431 of 2022

1. Sujata Kumari Wife of Sri Satyendra Kumar Resident of Shiv Nagar Khemnichak, P.S. Ram Krishna Nagar, Town and District- Patna.
2. Satyendra Kumar Son of Late Chandra Shekhar Prasad Yadav Resident of Shiv Nagar Khemnichak, P.S. Ram Krishna Nagar, Town and District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary, Urban Development Department, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Sub-Divisional Magistrate, Patna Sadar, Patna.
6. The Circle Officer, Sampatchak, Patna.
7. The Station Head Officer, Ram Krishna Nagar Police Station, Patna.
8. Smt Mala Sinha Wife of Sitesh Raman Ward Counsellor, Ward No.44, Resident of Mohalla- Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Adv Mr. Abhinay Raj, Adv
For the Respondent/s	:	Mr. Rajeev Kumar Sinha, AC to AAG-7

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

- 3 19-05-2022 Learned senior counsel appearing on behalf of the petitioners has submitted that the nuisance caused by respondent No. 8 has caused obstruction in the ingress and egress of the petitioners by constructing a water tank in front of the petitioners' house. It is stated that an application under Section



133 of the Cr.P.C has been filed before the Sub-Divisional Officer, Patna Sadar which is pending. However, no appropriate action has been taken on the petitioners' application.

Considering the facts and circumstances of the case, we dispose of present writ application in the light of division bench decision in case of *Sanjay Jha Vs. the State of Bihar & Ors.* reported in **2016(1) PLJR 248**. The petitioners shall be at liberty to pursue their matter under Section 133 of the Cr.P.C in the light of the said division bench decision in the case of Sanjay Jha (supra).

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

SUMIT/-

U			
---	--	--	--

