

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.209 of 2022

In

Civil Writ Jurisdiction Case No.16180 of 2015

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Bipin Kumar Singh, aged about 62 years, male, Son of Late Shiv Yatan Singh
@ Jatan Singh, Resident of Village-Jagatpur Bali, P.O. and P.S.-Chandi,
District-Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar through District Magistrate, Patna.
2. The District Magistrate, Patna.
3. The Sub Divisional Officer, Sadar Patna City.
4. The Anchal Adhikari, Sadar Patna.
5. The Senior Superintendent of Police, Patna.
6. The City Superintendent of Police, Patna.
7. Sri Rajesh Kumar, Deputy Superintendent of Police, Patna City, Patna.
8. Sri Suchit Kumar, Sub Inspector of Police, Officer in Charge Agamkuan
Police Station, Patna.
9. The Officer in-Charge, Agam Kuan Police Station, Patna.

... .. Respondent/s 1st Set

10. Sunil Kumar Verma, S/o Chitraguta Prasad Verma, Resident of Gudri Bazar
Sitamarhi, P.O. and P.S.-Sitamarhi, District-Sitamarhi.
11. Rita Verma, W/o Sunil Kumar Verma, Resident of Gudri Bazar Sitamarhi,
P.O. and P.S.-Sitamarhi, District-Sitamarhi.
12. Ranbir Choudhary, S/o Late Badri Narayan Choudhary, Resident of Shyam
Kund Apartment, G.M. Road, P.O.-Bankipore, P.S.-Pirbahore, District-
Patna.
13. Yashbardhan, son of Randhir Choudhary.
14. Master Harshbardhan, son of Randhir Choudhary.
15. Priyanka Jiwan, W/o Sri Sandeep Jiwan, Resident of Tulsi Vatika, Plot No.
4M/216, Bahadurpur Housing Colony, Kankarbagh, Patna-26.
16. Manoj Kumar Singh, S/o Late Ram Sagar Singh, Managing Director of M/s



Jascon Builcon Pvt. Ltd. Jacon Residency, Kankarbagh Road, Near Chiraiyatand Flyover, Patna-20. Resident of Kumhartoli, Kankarbagh Road, Patna-20.

... .. Respondent/s 2nd Set

Appearance :

For the Appellant/s : Mr. Arvind Prasad Singh, Adv.
For the State : Mr. Shailendra Kumar Dwivedi, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 06-07-2022

The defect/s, as pointed out by the Stamp Reporter, is ignored.

2. Heard the learned counsel for the parties.

3. The appellant has challenged the order dated 29.03.2022 passed in C.W.J.C. No. 16180 of 2015 by which the prayer made in the writ petition to issue a *mandamus* to respondent 1st set in the aforesaid writ petition to extend full support and co-operation as well as to provide police protection and aid to the writ petitioners to enforce the natural and



constitutional property rights of the writ petitioners and to initiate suitable legal action against the respondents therein for causing mischief and damage to the scheduled property as well as for the payment of compensation to the writ petitioners on account of losses sustained by them, has been rejected.

4. The aforesaid writ petition was entertained for a long time as has been suggested by the learned counsel for the appellant and ultimately, it was admitted by a Bench of this Court.

5. However, when the matter was finally decided, the learned Single Judge found that the nature of prayer made in the writ petition veered around civil dispute between the parties and it was not possible for any writ Court to have allowed such prayers. The learned Single Judge, therefore, left it open to the writ petitioners to take appropriate remedy available under the law but rightly dismissed the writ petition.

6. We have no reasons to interfere with



the aforesaid order.

7. The appeal is dismissed.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13/07/2022
Transmission Date	N/A

