

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11422 of 2022

1. Prabhat Kumar Son of Late Harimohan Prasad, Resident of Sipahi Ghat, Collectorate, Gandhi Maidan, P.O.- G.P.O., P.S.- Gandhi Maidan, Town and District- Patna.
2. Ram Kumar Azad, Son of Bajrangi Singh, Resident of Sipahi Ghat, Collectorate, Gandhi Maidan, P.O.- G.P.O., P.S.- Gandhi Maidan, Town and District- Patna.
3. Indu Devi, Wife of Rajesh Kumar, Resident of Sipahi Ghat, Collectorate, Gandhi Maidan, P.O.- G.P.O., P.S.- Gandhi Maidan, Town and District- Patna.
4. Radha Kumari, D/o Ganga Singh, Resident of Sipahi Ghat, Collectorate, Gandhi Maidan, P.O.- G.P.O., P.S.- Gandhi Maidan, Town and District- Patna.
5. Mala Devi C/o Late Rajendra Singh, Resident of Sipahi Ghat, Collectorate, Gandhi Maidan, P.O.- G.P.O., P.S.- Gandhi Maidan, Town and District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. The Special Secretary, Urban Development and Housing Department, Govt. of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The District Magistrate, Patna.
4. The Deputy Development Commissioner, Patna.
5. The Circle Officer, Patna Sadar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh,Adv.
For the Respondent/s : Mr.Abbas Haider,SC-6

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-05-2023 The present writ petition has been filed
seeking the following relief:-

*“1.That, the present writ petition is being
preferred for issuance of an appropriate
writ in nature of MANDAMUS for*



commanding, directing and restraining the authorities from interference of their peaceful possession upon land and demolish their respective houses during pendency of Title Appeal No. 78 of 2010, which is pending for consideration before competent Court, considering their long continuation with their families much more than 80 years without obstructions and by virtue of passage of time or expiry of statutory period of limitation, they had acquired valid rights, title and interest over portion of land as well as further prayer of restraining the concern authority from any adverse action without Govt. plan concerning rehabilitation being homeless persons or persons below the poverty line."

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to pursue the title appeal pending before the learned Trial Court i.e. Title Appeal No. 78 of 2010, which has been filed by the petitioners before the learned Court of Additional District and Sessions Judge-XVI, Patna. Liberty so sought is granted.



The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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