

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.510 of 2023

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Ajay Kumar Singh Son of Prakash Singh Resident of Mohalla- Prakash Colony, in Front of B.M.P.- 16, Khagaul Road, P.S.- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Patna.
3. The Additional Collector, Land and Revenue, Patna.
4. The Deputy Collector Land Reform, Paliganj, Patna.
5. The Sub-Divisional Magistrate, Paliganj, Patna.
6. The Circle Officer, Dulhin Bazar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh, Advocate
For the Respondent/s	:	M/s Raj Kishore Roy (GP 18)
		Mukul Sinha, AC to GP 18

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The petitioner has filed the instant writ application for
the following relief(s):-

“1. That, by way of this writ petition the petitioner craves indulgence of this Hon'ble Court for the issuance of a writ in the nature of mandamus or an appropriate writ, order or orders, direction or directions commanding the respondent authorities to provide the police force in the supervision of a magistrate for peaceful construction of boundary wall in the light of letter No. 771 dated 17.06.2022 issued by Respondent No-06 upon the purchased land of the petitioner in mauza Bhimnichak and Harpura as some



antisocial persons are trying to disturb the petitioner in construction of the boundary wall and further the petitioner prays for other consequential relief or reliefs, for which he is entitled under the law.”

It is submitted by learned counsel appearing for the petitioner that after purchasing the land in question, the petitioner came in possession thereof and on the petitioner's application, the land was mutated. On the petitioner proceeding with construction of boundary wall, some unknown miscreants started to disturb the said construction which led to the petitioner filing Measurement Case no. 18 of 2021-2022. The reports were called for and finally a letter bearing 771 dated 17.6.2022 was written by the Circle Officer, Dulhin Bazar, Patna to the Sub-Divisional Officer, Paliganj, Patna, requesting for deputation of Magistrate and police force to facilitate the construction of the boundary wall.

Learned counsel for the petitioner submits that no further steps having been taken, the petitioner has been forced to approach in this Court for the prayer made in the instant application.

Referring to paragraph no. 16 of the application learned counsel for the petitioner further submits that there is no dispute with respect to the land in question. To his knowledge,



the order passed in measurement case has not been challenged by any person before any superior authority.

Having heard learned counsel for the parties and taking into consideration the nature of pleading and prayer made by the petitioner in the instant application, the application is disposed of with the following directions:-

(I) The Circle Officer, Dulhin Bazar, Patna (respondent no. 6) and the Sub-Divisional Officer, Paliganj, Patna (respondent no. 5) will proceed to facilitate construction of the boundary wall of the petitioner pursuant to the measurement carried out in the Measurement Case no. 18 of 2021-22. The police authorities ie the Senior Superintendent of Police, Patna will depute adequate police force at the petitioner's cost to facilitate the above construction of the boundary wall of the petitioner.

(II) The above process shall be completed within a period of three months from the date of receipt / production of a copy of this order before the respondent authorities.

(Partha Sarthy, J)

Spd/-

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