

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13189 of 2018

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Sadhana Sharma W/o Late Harshendra Nath Sharma R/o Village- Mai, P S-
Parwalpur, District- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director General of Police, Bihar, Patna
3. The District Magistrare, Nalanda at Bihar Sharif
4. The Sub Divisional Magistrare, Hilsa, Nalanda
5. The Circle Officer, Ben, Nalanda
6. The Superintendent of Police, Nalanda at Bihar Sharif
7. The S H O Parwalpur Police Station, Nalanda
8. Sunil Yadav @ Karu Yadav S/o Late Babulal Yadav R/o Village- Mai, Post
and P S- Parwalpur, District- Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Prasad, Adv.

For the Respondent/s : Mr.Subash Chandra Yadav- GP15

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

Date : 05-12-2024

In the instant writ petition, petitioner has prayed for
following reliefs :-

*“For direction to the respondents to
take legal action against the Private
respondent who has knowingly and willfully
violated the order vide memo no. 597 dated*



02.06.2018 whereby the Sub Divisional Magistrate, Hilsa, Nalanda in Case No. 98 M/18 has passed an order for maintaining status quo in spite of that he is constructing building over the petitioner's raiyati land pertaining to Thana no. 59, Khata no. 242, Khesra No. 992, area 4.75 decimal.

(ii) For direction to the respondents to remove from the physical of the respondent no. 8 from the said petitioner's land who has illegally and forcibly taken possession over the land and started construction.

(iii) For other order or direction in favour of the petitioner in the interest of justice and ends of justice in the facts and circumstances of the case.”

2. On 26.11.2024, this Court had passed the following

order :-

“None appears for the petitioner.

2. From perusal of the prayer clause, it transpires that there is an order passed by the S.D.M., Hilsa in Case No.98M/18 for maintaining the status quo over the land pertaining to Thana No.59, Katha no.242, Khesra No.992, area 4.75 decimal.

2. Learned counsel for the State submits that the matter relates to delivery of possession and the revenue authority cannot interfere with the said matter, as the same is



evident from the prayer II of the writ petition and in para 1 of the prayer clause, it is mentioned that the direction is given by S.D.O. under Section 144 Cr.P.C. which remains in force for 60 days and it becomes infructuous after expiry of the statutory period. In both way, the present writ petition is not maintainable.

3. One opportunity is granted to the learned counsel for the petitioner. If he is not available on the next date of hearing, the matter would be decided with the material available on record.

4. List this matter on 03.12.2024.”

3. Today also, no one appears on behalf of the petitioner and the matter is pending consideration for the last six years.

4. In the light of the previous order and the facts and circumstances of the present case, the present writ petition stands disposed of. However, disposal of the writ petition would not be a hurdle for the petitioner to represent her grievance before the concerned authority.

(Alok Kumar Pandey, J)

mcverma/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	06.12.2024
Transmission Date	NA

