

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1226 of 2017

Prabhu Dayal son of Late Kauleshwar Sao, Resident of Mohalla- Belisarai,
East of Khuri Bridge, Main Road, Nawada, P.O./ P.S./ District- Nawada.

... .. Petitioner

Versus

1. Birendra Mahtha @ Nand Kishore and Anr son of Kishun Ram, Resident of Mirzapur Line Par, Nehaluchak Road, Nawada, P.O/P.S./ District- Nawada.
2. Jay Prakash Narayan Singh, the then Anchal Adhikari of Nawada Revenue Anchal, P.O./ P.S./ District-

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Sidhendra Narayan Singh, Advocate
For the Respondent/s : Mr. Devendra Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 21-03-2024

I.A. No. 01 of 2024

This interlocutory application has been filed by Smt. Neelam Devi and Ritesh Kumar for impleading them as intervenor respondents in the main writ petition.

This interlocutory application is rejected as the applicants have purchased the plots in question from a persons who have no legal right over the said plot nos. 344 and 345. The intervenor applicants can initiate legal proceeding for recovery of the amount given to their vendors.

Re:- C. Mis. No. 1226 of 2017

This writ petition has been filed for the following reliefs:-

“For issuance of an appropriate writ/writs, order/orders, and/or direction/directions to learned Addl. Munsif, 1st, Nawada to conclude



the enquiry pending under Misc. Case No. 3 of 2005/1 of 2003 initiated in view of court's order dated 09.06.2003 read with the order of this Hon'ble Court dt. 08.11.2004 contained in Annexure-3, against respondents on account of alleged illegal, forceful and wrongful eviction of petitioner from his undisputed plot nos. 344 and 345 in execution of decree dt. 24.12.1998 passed in Eviction Suit no.18 of 1994 regarding plot no.343 & 346 but the same could not be concluded despite order of this Hon'ble Court to dispute of within 6 months."

2. In view of earlier orders of this Court, the relief which has been sought in the present case, has been granted to the petitioner as the possession of plot nos. 344 and 345, which was illegally taken away by the respondent authorities in execution of a decree though there was no order for execution of the decree on the plot nos. 344 and 345, has been given to the petitioner.

3. In view of the aforesaid facts, this application is allowed.

(Sandeep Kumar, J)

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