

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22503 of 2018

-
1. Raju Prajapati Son of Sitaram Prajapati Resident of Mohalla-Lakhanpura, P.S. Vishnupad, Town and Distt.-Gaya
 2. Dayanand Vishwakarma Son of Late Suraj Mistri Resident of Mohall Vishnuganj, P.s. - magadh Medical, Town and Distt. Gaya.
 3. Bhubneshwar Prajapati Son of Late Mani Prajapati Resident of Mohalla-Ghughri Tardh, Bye-Pass, P.s.- Vishnupad, Town and Distt. Gaya.
 4. Karu Yadav Son of Late Dhaneshwar Yadav
 5. Suraj Yadav Son of Bansu Yadav Both residents of Village- Wazidpur, p.s. - Gurua, Distt. Gaya
 6. Md. Moin Son of Late Shrfuddin resident of Mohalla Road No. 5 Mohalla-new Karim Ganj, p.s. Civil Line, Town and Distt. Gaya.
 7. Bijay Kumar Son of Late Ganga Mistri Resident of Mohalla Mandraj Bigha, P.s. - Delha, Town and Distt. Gaya.
 8. Khatib Son of Late Ahmad Hussain Resident of Mohalla Gewal Bigha, P.s. Rampur, Town and Distt. Gaya.
 9. Anil Mistri Son of Late Nanku Prajapat resident of Mohalla Pant Nagar Bye-Pass, P.s.- Vishnupad, Twon and Distt. Gaya,
 10. Shafique Mistri Son of Late Habibur Rahman Resident of Mohalla Maroofgani, P.s. - Kotwali, Town and Distt. Gaya.
 11. Gyachand Prasad Son of Late Ram Raksha Prajapat Resident of Mohalla New Colony, Chhotki Delha, Tekari Road, P.s. - Delha, Town and Distt. Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Gaya.
2. The District Magistrate-cum-Member, District Central Library/Public Library, Gaya
3. The Sub-Divisional officer, Gaya Sadar, Gaya
4. The District Central Libray/Public Library, Gaya through its Secretary, public Library, Church Road
5. The Secretary, public Library, Church Road, Town and District Gaya.
6. Birendra Kumar son of Late Balbir Prasad, Secretary, District Central Library, Gaya, resident of Balbir Parisar, Katari Hill Road, P.S.-Rampur, District-Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rashid Izhar, Advocate
For the Respondent/s : Mr.Prashant Pratap- Gp2



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 25-09-2024 The present writ petition has been filed seeking the following reliefs:-

“(i) For issuance of a writ or writs directing the State Respondents not to forcefully evict the tenants by use of coercive administrative power who are tenants for 30-40 years or for two generations without following the procedure established by law.

(ii) For issuance of direction or directions to the Respondents not to disturb the tenants who have made up to date payment of Rent to the landlord without obtaining a legal order from the court of law as prescribed for eviction of tenants from the rental premises.”

2. Though, at the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to avail such other alternative remedies, as are otherwise available under the law, however, seeks a direction upon the State-respondents not to take coercive action against the petitioners, without taking recourse to the due process of law.

3. Having regard to the facts and circumstances of the case, while granting liberty to the petitioners to avail such other alternative remedies, as are otherwise available under the law, for redressal of their aforesaid grievances, I deem it fit and proper to direct the State-respondents not to act without taking



recourse to the due process of law.

4. The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

kanchan/-

U			
---	--	--	--

