

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7832 of 2023

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1. Upendra Kishor Son of Late Kaushal Bihari Lal, Resident of Rang Bahadur Road, Piparpanti, Gaya, Bihar, 823001.
 2. Shailesh Kumar, Son of Late Kaushal Bihari Lal, Resident of Rang Bahadur Road, Piparpanti, Gaya, Bihar, 823001.
 3. Yugal Kishor, Son of Late Kaushal Bihari Lal, Resident of Rang Bahadur Road, Piparpanti, Gaya, Bihar, 823001.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Gaya.
3. The District Registrar, Gaya, District - Gaya.
4. The District Sub Registrar, Sub Registry Office, Sherghati, District - Gaya.
5. Bharti Kumari, Wife of Jitendra Kumar, Resident of MIG 5, Chanakyapuri Colony, P.S. - Rampur, District - Gaya.
6. Rubi Sinha, Wife of Raj Ranjan Sinha, resident of Qr. No. 2315, Sector 6/C Bokaro Steel City, Chas, District- Bokaro.
7. Sudhir Pandey, S/o Sri Suresh Pandey, Resident of Near LIC Office, Ward No. 4, Prasiya, Chindwara, Madhya Pradesh.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Mr.Vikash Kumar (SC-11)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-07-2024 The present writ petition has been filed
seeking the following relief:-

“1. That the petitioners are filing the present writ petition for passing an appropriate direction/directions/ order / orders / writ/writs upon the concerned respondents to cancel the illegal sale deed bearing sale deed No. 13146 dated 21.12.2022 (Annexure P/2) wherein the



respondent 2nd set sold Khata No. 27, Plot No. 2252 measuring 2 Acres, 23 decimal in favour of one Sudhir Pandey, S/o Sri Suresh Pandey, Resident of Near LIC Office, Ward No. 4, Prasiya, Chindwara, Madhya Pradesh (Respondent 3rd Set).

That the petitioners further pray for passing an appropriate direction /directions /order /orders /writ /writs upon the concerned respondents to forbid from execution and the registration of sale deed of the property which has been mentioned in the order and judgement dated 10.08.1970 passed by Learned Sub Judge-III, Gaya in Partition Suit No. 97/1970 in view of the fact that no partition has taken place after the order and judgement dated 10.08.1970 (Annexure P/1) between the parents of the petitioners, the petitioners and their sisters.”

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to avail such other alternative remedies as are otherwise available under the law, including that of filing a suit before the Ld. Civil Court having competent jurisdiction, for redressal of the



aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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