

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10810 of 2023

Most. Gayatri Devi widow of late Subhash Bhagat and daughter of Late Jagarnath Bhagat, resident of Village- Nadwan, P.S. Dhanarua, District-Patna, presently residing at Mohalla- Tiwary Tola, P.S.- Maner, District-Patna..

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Excise and Registration, Bihar, Patna.
2. The District Magistrate, Patna.
3. The Deputy Collector Land Reforms, Patna Sadar, Patna.
4. The Sub-Registrar, District Registration, Patna.
5. The Sub-Registrar, Registration Office, Phulwari Sharif, Patna.
6. The Circle officer, Phulwari Sharif, Patna.
7. Dilip Kumar Son of late Jagdish Bhagat, resident of Village- Nadwan, P.S. Dhanarua, Dist.- Patna, at present Chunauti Kuan, P.S. Phulwari Sharif, District- Patna.
8. Satish Kumar Son of Late Jagdish Bhagat, resident of Village- Nadwan, P.S. Dhanarua, Dist.- Patna, at present Chunauti Kuan, P.S. Phulwari Sharif, District- Patna.
9. Krishna Prasad Son of Late Jagarnath Bhagat, resident of Village- Nadwan, P.S. Dhanarua, Dist.- Patna, at present Chunauti Kuan, P.S. Phulwari Sharif, District- Patna.
10. Rajesh Kumar Son of Late Premchand Prasad, resident of Village- Nadwan, P.S. Dhanarua, Dist.- Patna, at present Chunauti Kuan, P.S. Phulwari Sharif, District- Patna.
11. Rakesh Kumar Son of Late Premchand Prasad, resident of Village- Nadwan, P.S. Dhanarua, Dist.- Patna, at present Chunauti Kuan, P.S. Phulwari Sharif, District- Patna.
12. Narmadeshwar Prasad Son of late Shyam Sunder Prasad, resident of Village- Nadwan, P.S. Dhanarua, Dist.- Patna, at present Chunauti Kuan, P.S. Phulwari Sharif, District- Patna.
13. Akhileshwar Prasad Son of late Shyam Sunder Prasad, resident of Village- Nadwan, P.S. Dhanarua, Dist.- Patna, at present Chunauti Kuan, P.S. Phulwari Sharif, District- Patna.
14. Sanjay Kumar @ Sanjay Malakar, Son of Late Lakshmi Devi, Resident of Village- Manpur Mohalla-Buniadganj near, Moti Calander, Gopalganj road, P.S. Buniyadganj, District-Gaya.
14. Anju Devi@ Anju Kumari, Wife of Kamlesh Kumar @ Bumbum, D/o of Most. Lakshmi Devi, Resident of Village- Navi Nagar, P.S. Dulhinbazar, District-Patna.



15. Prashant Priya son of Late Dilip Kumar Gupta, resident of Mohalla-Rastriyaganj, P.S. Phulwari Sharif, Dist.- Patna.
16. Ghanshyam Dhiraj Son of Late Dilip Kumar Gupta, resident of Mohalla-Rastriyaganj, P.S. Phulwari Sharif, Dist.- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Adv.
	:	Mr. Alexander Ashok, Adv.
For the Respondent No.8:	:	Mr. Abhay Kr. Kashyap, SC-11
	:	Mr. Anil Kr. Srivastava, Adv.
	:	Mr. Akash, Advocate
For Respondent No.15-16	:	Mr. J.P. Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 10-09-2024 The present writ petition has been filed seeking the following relief:-

"To restrain the respondents No. 2 to 6 from alienating and transferring the land in question and annul the land already transferred by different respondents to different persons during pendency of the proceedings and injunction order."

2. At the outset, the learned counsel appearing for the respondent no.8 submits by referring to the counter affidavit filed in the present case that he undertakes to obey the order dated 19.09.2019, passed by the learned Court of Sub-Judge-I, Patna in Title Partition Suit No. 47 of 2017.

3. As far as disobedience of the order dated 19.09.2019, passed by the learned Trial Court in Title Partition Suit No. 47 of 2017, by the private respondents, is concerned, the learned



senior counsel appearing for the petitioner seeks liberty on behalf of the petitioner to file appropriate petition before the learned Trial Court in the aforesaid suit, alleging disobedience of the order dated 19.09.2019, however seeks a direction upon the learned Trial Court to expeditiously dispose off the said petition and take appropriate action against such defendants, who have violated the order dated 19.09.2019.

3. Having regard to the limited prayer made by the learned senior counsel appearing for the petitioner, I deem it fit and proper to grant liberty to the petitioner to file appropriate petition before the learned Trial Court in the aforesaid Title Partition Suit No.47 of 2017, alleging disobedience of the order of injunction dated 19.09.2019, and in case such a petition is filed within a period of two weeks from today, the learned Trial Court shall consider the same and pass appropriate orders, as also take appropriate action by taking recourse to the due process of law, within a period of four weeks, thereafter.

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

(Mohit Kumar Shah, J)

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