

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11406 of 2024

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Mufti Habibullah Quashmi S/o Haji Yar Mohammad, Resident of Jhatkahi,
P.S.- dhaka, District- East Champaran (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar.
2. The District Magistrate (DM), Motihari, East Champaran, Bihar.
3. The Superintendent of Police (SP), Motihari, East Champaran, Bihar.
4. Sub Divisional Officer (SDO), Motihari, East Champaran, Bihar.
5. Station House Officer (SHO), Dhaka, East Champaran, Bihar.
6. Hasibulla Habibi, S/o Mufti Habibullah Quashmi, Resident of Jhatkahi, P.S.- Dhaka, District- East Champaran (Bihar).
7. Mojibullah Habibi, S/o Mufti Habibullah Quashmi, Resident of Jhatkahi, P.S.- Dhaka, District- East Champaran (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Majid Mahboob Khan, Advocate
For the Respondent/s : Mr. Amrit Anand, AC to GA-13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-08-2024 The present writ petition has been filed
seeking the following reliefs:-

“1.i) For issuance of a writ/order/direction in the nature of Certiorari for quashing the order dated 02.05.2023 passed by the respondent Sub-Divisional Officer, Dhaka;
ii) For issuance of an appropriate writ in the nature of Mandamus for restoration of possession of residential house and agricultural land which was disposed by use of power by his sons;
iii) For ensuring adequate security of the petitioner and his wife's life and



property, due to serious threats from respondents no. 6 and 7.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 02.05.2023 passed by the Sub-Divisional Officer, Sikarhana, Dhaka, District-East Champaran, by filing appropriate appeal under Section 16 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, however, seeks a direction upon the appellate authority to condone the limitation, if any. Liberty, so sought, is granted.

3. It is needless to state that in case appropriate appeal is filed within a period of six weeks from today, the appellate authority shall consider the same on merits without being impeded by the issue of limitation.

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

(Mohit Kumar Shah, J)

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