

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12924 of 2024

1. Md Kalam @ Md Kalamuddin Son of Late Nezamuddin Resident of Mohalla Neemganj, Marium Tola P.O.- Biharsharif P.S. - Bihar, District-Nalanda.
2. Md. Ekram @ Md. Ekram Alam Resident of Mohalla Neemganj, Marium Tola P.O.- Biharsharif P.S. - Bihar, District-Nalanda.
3. Md. Islam @ Md. Islam Alam Son of Late Nezamuddin Resident of Mohalla Neemganj, Marium Tola P.O.- Biharsharif P.S. - Bihar, District-Nalanda.
4. Md. Israil Son of Late Nezamuddin Resident of Mohalla Neemganj, Marium Tola P.O.- Biharsharif P.S. - Bihar, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Collector Cum District Magistrate, Nalanda.
3. The Superintendent of Police, Nalanda.
4. The Sub-Divisional Officer, Biharsharif, Nalanda.
5. The Anchala Adhikari Biharsharif, Nalanda.
6. The S.H.O., Bihar P.S. Biharsharif, Nalanda.
7. Sapna Ram D/o Chhotey Lal Yadav Resident of Mohalla-Sabji Bazar, Kanoon Gali, Matherya Biharsharif P.S. Laheri District-Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amar Nath Singh, Advocate
For the Respondent/s : Mr.Government Pleader (11)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-09-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of a writ of certiorari quashing the notices dated 07.06.2024, issued vide letter No. 1453 and letter No.1732 dated 11.07.2024, by the Respondent no.4, i.e. the Sub-Divisional Officer, Biharsharif at Nalanda, by which the petitioners have been asked to



appear before the Authority alongwith all the papers/documents related to the dispute in T.S. No. 93/2021 though T.S.No.93/2021 is still pending for adjudication before the learned Sub- Judge VI, Biharsharif, Nalanda.

(ii) For issuance of a writ of certiorari quashing the notice dated 20.03.2024, issued by the Respondent No.6 i.e. the S.H.O, Bihar police station, Biharsharif, Nalanda whereby and whereunder the petitioners have been asked to come in Janata Darbar of Police Station along with documents related to Khata No. 204, Plot No. 395, area 12.5 Dec., though the dispute pertaining to the said land is pending in the Court of learned Sub Judge VI Biharsharif at Nalanda and in that case Sapana Rani is one of the defendant.

(iii) For issuance of a writ of mandamus directing the Respondent Authority not to proceed against the petitioners on the basis of wrong information given by the Respondent No. 7.

(iv) For issuance of a writ of mandamus directing the respondents not to take any coercive steps in a matter with regard to which, T.S. is pending before the learned Sub-Judge, with respect of the land in question.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the District



Magistrate, Nalanda at Bihar Sharif for redressal of their
aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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