

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.867 of 2024

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Ajay Kumar @ Ajay Kumar Sinha, Son of Bindeshwari Prasad Verma @ Bindeswari Prasad Resident of Mohalla- Mungeriganj, P.S.- Sadar, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Begusarai.
2. The Civil S.D.O. Begusarai.
3. The Circle Officer, Begusarai.
4. Mukesh Kumar, son of Sagar Lal, Resident of Mokimpur, Begusarai, Popularly known as Mungeriganj, P.O and P.S. and District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. J.S. Arora, Sr. Advocate
		Mr. Manoj Kumar, Advocate
For the Respondent/s	:	Mr. Prashant Kumar, AC to SC-5

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 02-09-2024

The record has been taken up on mentioning being made on behalf of the petitioner.

2. Heard learned senior counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

3. The learned senior counsel appearing on behalf of the petitioner submits that the instant petition has been filed seeking direction to the learned District Judge, Begusarai for taking steps for disposal of the injunction petition filed by the petitioner in Title Suit No. 11 of 2018, which has not been disposed of by the learned trial court till date as the court has



been vacant. The learned senior counsel further submits that for transfer of Title Suit No.11 of 2018, a Misc. Case No. 32 of 2024 has also been filed before the learned District Judge, Begusarai, which is also pending. The learned senior counsel further submits that meanwhile, a few days back, the learned Presiding Officer joined, but soon thereafter, she went on leave and, for this reason, the injunction petition filed by the petitioner is still pending.

4. The learned senior counsel further submits that earlier the petitioner approached this Court by filing CWJC No.8313 of 2024 and vide order dated 04.07.2024, *status quo* was granted on the land/house of the petitioner in question for a period of four weeks so that the petitioner could take appropriate steps for interim protection/relief from the learned trial court in Title Suit No. 11 of 2018 since the respondent State has directed the petitioner for removal of so-called encroachment over the land in question.

5. Having considered the aforesaid facts and circumstances as well as submission made on behalf of the petitioner, if the court of learned Munsif is available, in that event, the learned Presiding Officer is directed to take up the injunction petition and dispose of the same at the earliest. If the



learned Presiding Officer has left for long leave, in that event, the learned District Judge, Begusarai is directed to transfer the matter to some running court and the petitioner may make submission before the learned District Judge in the pending Misc. Case No.32/2024, who is directed to dispose of the miscellaneous case immediately upon receipt/production of a copy of this order.

6. This Court directs that *status quo*, as existing today, on the land/house of the petitioner, in question, will be maintained for a period of four weeks from today.

7. With the aforesaid observations/directions, the instant petition is disposed of.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.09.2024
Transmission Date	NA

