

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.129 of 2017

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Md. Jamshed Alam @ Jamshed Alam @ Guddu Son of Md. Inamul Haque,
resident of Azad Nagar, Ward No. 12/20, Araria, P.S. and District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Araria
3. The Additional Collector, Araria
4. The Sub Divisional Magistrate, Araria
5. Station House Officer, Araria, P.S. and District Araria
6. Nasima Khatoon, Wife of Salim Ansari, Daughter of Jainul Abdin, resident of Azad Nagar, Ward No. 12/20, Araria, Presently residing at Khalilabad, Ward No. 25, Araria, P.S. and District - Araria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate
For the Respondent/s : Mr.Raj Kishore Roy, GP-18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

10 03-07-2024

The present writ petition has been filed

seeking the following relief:-

“1. That, this petition is being filled for issuance of an appropriate writ, order or direction to quash the order dated 10.2.16 contained in Memo No. 323 dated 1.7.16 passed in Misc. Case No. 739MP//2015 by the learned Sub Divisional Magistrate, Araria whereby and whereunder he directed the S.H.O., Araria P.S. to get the impugned house vacated from the petitioner and restore the possession of the House to the respondent no. 6 and for any other



*relief or reliefs to which the petitioner
is found fit and entitled.”*

2. At the outset, the learned counsel appearing for the respondent no. 6 submits that the respondent no. 6 has already filed an eviction suit bearing Eviction Suit No. 1 of 2024, which is pending consideration before the learned Court of Sub-Judge, Araria, hence the parties may be granted liberty to prosecute their respective cases before the Ld. Court of Sub-Judge, Araria in the aforesaid Eviction Suit No. 1 of 2024. Liberty, so sought, is granted.

3. Consequently, the order dated 10.02.2016 passed in Miscellaneous Case No. 739/MP/2015 by the learned Sub-Divisional Officer, Araria is rendered redundant.

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

(Mohit Kumar Shah, J)

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