

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16482 of 2023

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Jaishree Devi W/o Late Dhannu Lal Yadav, R/o Rajendra Nagar Road no. 1 E,
P.S. Kadamkuan, P.O- G.P.O., Dist.- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, State of Bihar.
2. The District Magistrate cum Collector, Patna, Bihar.
3. The Sub Divisional Magistrate, Patna Sadar, Patna, Bihar.
4. The Senior Superintendent of Police, Patna, Bihar.
5. Shivendra Shree, S/o Late Dhannu Lal Yadav, R/o Rajendra Nagar Road no. 1 E, P.S. Kadamkuan, P.O- G.P.O., Dist.- Patna, Bihar.
6. Reena Rai, W/o Shivendra Shree, R/o Rajendra Nagar Road no. 1 E, P.S. Kadamkuan, P.O- G.P.O., Dist.- Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Nath, Adv.
For the Respondent/s : Mr.Manish Kumar (Gp 4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-05-2024 The present writ petition has been filed seeking the following reliefs:-

“1(A). For Issuance of a writ in the nature of Mandamus commanding the respondent authorities for compliance of Order dated 04.06.2022 passed in Maintenance and Welfare of Parents and Senior Citizens Act 2007 Case no. 21/22 passed by the Sub-Divisional Magistrate, Patna along with the compliance of the Order dated 26.11.2022 passed in Maintenance and Welfare of Parents and Senior Citizens Act 2007



Appeal No. 12/2022-23 by the District Magistrate cum Collector, Patna.

(B). For Issuance of a writ in the nature of Certiorari/Orders/Directions for eviction of the respondent nos. 5 and 6 from the house of the Petitioner-mother on the grounds of repeated ill-treatment, cruelty, physical violence and non-maintenance of their parent ensuring the safety and well-being of the petitioner by modifying the order dated 26.11.2022 passed in Maintenance and Welfare of Parents and Senior Citizens Act 2007 Appeal No. 12/2022-23 by the District Magistrate cum Collector, Patna.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Collector-cum-District Magistrate, Patna, for enforcement of the order dated 26.11.2022, passed by him, in Senior Citizen (Mother-Father) Appeal Case No. 12 of 2022-23. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate petition is filed before the Collector-cum-District Magistrate, Patna, by the petitioner, within a period of two weeks from today, he shall ensure enforcement of his aforesaid order dated 26.11.2022, in case the same has not been enforced till date and there is no other legal impediment, within a period of six weeks, thereafter.



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

(Mohit Kumar Shah, J)

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