

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16702 of 2023

Md. Muzaffar Hussain son of Late S.K. Noor Mohammad, Resident of Mohalla - Panna Mill Road, Husainabad, Markazi Tola, Police Station- Muzahidpur (Babarganj), District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Social Welfare Department, Govt. of Bihar.
2. The Director General of Police, Govt. of Bihar, Patna.
3. The Deputy Inspector General, (DIG), Bhagalpur.
4. The District Magistrate, District - Bhagalpur.
5. The Senior Superintendent of Police, District - Bhagalpur.
6. The Office-In-Charge, Police Station- Muzahidpur (Babarganj), District - Bhagalpur.
7. Circle Officer Jagdishpur, P.S. Jagdishpur, District - Bhagalpur.
8. Md. Azmat Hussain, son of Maulana Md. Farhat Hussain, R/o Mohalla - Moulana Md. Ali Road, Khidirpur, Gali No. - 14/01, Post Office- Khidirpur, Police Station- Ekbalpur, District- Kolkata (West Bengal), Pin Code - 700023.
9. Md. Ahmad Hussain, Son of Late S.K. Noor Mohammad, resident of Mohalla - Moulana Md. Ali Road, Khidirpur, Post Office - Khidirpur, Gali No. - 17/01, Kolkata (West Bengal) Police Station - Ekbalpur, District - Kolkata (West Bengal) Pin Code- 700023.
10. Md. Hasnain, Son of Late S.K. Noor Mohammad, resident of Mohalla - Babu Bazar, Gauza Gali, Khidirpur, Kolkata - 700023.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vikram Singh, Advocate
For the Respondent/s : Mr.Md. Nadim Seraj (Gp 5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 13-08-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For, issuance of appropriate writ/order/direction commanding the Respondents for protection of life and liberty of



the petitioner as well as protection of his possession from his residential house constructed over the land appertaining to Khata No.- 1208, Khesra/Plot No.- 1208, Ward No.- 28, Holding Number- 1208, area-5 Katha, purchased in the year 1987 and 1988 through his family members thereafter and since 1990 the petitioner is residing over the said land by constructing residential building without any objection either by the family members of the petitioner or private respondents or any other person.

(ii) For, issuance of appropriate writ/order/direction commanding the Respondents to pass appropriate order under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 & Bihar Maintenance & Welfare of Parents & Senior Citizens Rule, 2012 read here in after as Act, 2007 & Rules 2012 on the representation dated 21/07/2023 relating forcible dispossession of the petitioner from his residential house without making any enquiry into the matter merely on the basis of part of the land stands in the name of other family members of the petitioner.

(iii) For issuance of appropriate writ/order/direction commanding the Respondents to make enquiry into the matter relating to life threat given by the other family



members of the petitioner in collusion of anti-social elements of area on the basis of Sanha dated 29.04.2023 before the Court of Chief Judicial Magistrate, Bhagalpur vide informatory application (Sanha) vide information application no.- 2057/2023 as well as information dated 16/07/2023 submitted before Respondent No.-5.

(iv) For issuance of appropriate writ/order/direction commanding the Respondents restraining the other family members (Respondent No. 8 told) of the petitioner who are any how trying to dispossess from his house forcibly taking advantage of the age of the petitioner.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District Magistrate, Bhagalpur for redressal of his aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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