

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7839 of 2017

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Rajeev Kumar Sharma son of Late Arun Kumar Sharma, resident of Mahajan Toli, Barhara Phatak, Jail Road, Police Station- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Bhojpur Ara.
3. The Superintendent of Police, Bhojpur Ara.
4. The Deputy Collector Land Reforms, Ara.
5. The Circle Officer, Circle Office, Ara.
6. The Circle Inspector, Ara Circle, Ara.
7. Md. Shahid, son of Late Hafiz Raza, resident of Mohalla- Tarri, Police Station- Ara Town, District- Bhojpur.
8. Binay Kumar Pandey, son of Late Radhe Shyam Pandey.
9. Pramod Kumar Pandey, son of Sidha Nath Pandey,
10. Sri Arbind Kumar Pandey,
11. Anjani Kumar Pandey, Both sons of Late Gupteshwar Pandey, all are residents of Maruti Nagar, Police Station- Ara Town, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Sajid Salim Khan- Sc25

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 16-04-2025 No one appears on behalf of the petitioner though State is present.

2. The present application has been preferred for the following relief(s):

issuance of a writ in the nature of mandamus and/ or for any other appropriate writ/writs, commanding and directing the respondents not to interfere with the right,



title and possession of the petitioner over the Plot appertaining to Khata No. 124, corresponding to Kheshra No. 281/1194 in Mohalla- Murshidpur Imamajani (Banstall), Police-station- Ara Town within the Town and District Ara, save and except as permissible under the law and/or may pass such any other order/ orders for which the petitioner may be found legally entitled to.

3. A counter affidavit has been filed by the Sub Divisional Police Officers, Sadar, Ara (respondent no. 3) and learned State Counsel has taken this Court to paragraph 6 which read as follows:

6. That the instant writ petition has been brought by the petitioner for direction to the respondent not to interfere with the right, title and the possession of the petitioner over the plot. Before entering into para wise comment, I have to say that Ara Town Police vide Memo No. 2924/2017 dated 16.09.2017 had reported that on inquiry of petitioner's petition it came to light that the dispute regarding the title of the land and the demarcation of the land was done on 21.04.2017 by the C.O. of Ara along with revenue staff, Amin and Police Force in the demarcation case No. 01/17-18 again on petitioner of Rajiv Kumar Sharma in the



court of SDM Ara Non-FIR no. 10/17 dated 15.06.2017 under section 144 Cr.P.C. has been instituted and it is crystal clear that the dispute is purely civil in nature.

4. Learned State Counsel submits that it is purely a civil dispute for which writ jurisdiction has been preferred.

5. Be that as it may, since there is no representation, the same is dismissed for non-prosecution.

(Rajiv Roy, J)

Vijay Singh/-

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