

Perveen Aasha @ Praveen Ayasha wife of Abul Fasal Azad Alam @ Md. Azad Alam Resident of Mohalla- ward No.15/23, Police station- Forbesganj, District- Araria.

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration, Government of Bihar Patna.
2. The Divisional Commissioner, Purnea Division, Purnea.
3. The District Magistrate, Araria.
4. The Superintendent of Police. Araria.
5. The Sub Divisional officer, Forbeshganj, Araria.
6. The Circle officer, Forbesganj, Araria.
7. The Officer in Charge, Forbeshganj Police Station, District- Araria.
8. Husan Samshi, wife of Md. Taiyab Ansari, resident of village- Ward No.10, Rampur Dakshin, Police Station - Forbeshganj, District- Araria.

... .. Respondent/s

For the Petitioner/s : Ms. Manisha Khushi, Advocate
For the Respondent/s : Mr. Standing Counsel (6)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-02-2025 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. The present writ petition has been filed for quashing the order contained in Memo No.04/legal dated 15.05.2024 passed by respondent No.5 (Annexure-P/6) alleged to be illegal and without jurisdiction.

3. Learned Counsel for the State has raised



preliminary objection and submits that petitioner has earlier moved before this Hon'ble Court in CWJC No.18740 of 2024 in which vide order dated 12.12.2024 this Hon'ble Court has pleased to pass the following order:-

“1. Heard learned counsel for the petitioner and learned AC to SC-18.

2. The learned counsel for the petitioner after arguing vehemently for some time, realized his difficulty, seeks permission to withdraw the instant writ application.

3. Permission is accorded.

4. The writ application is dismissed as withdrawn.”

Counsel submits that in the light of the observations made by this Hon'ble Court, in the earlier writ petition, the petitioner has left no remedy before this Court. Counsel for the State further submits that from the order impugned it becomes crystal clear that there are two Title Suits pending among the parties bearing Title Suit No.191 of 2015 and Title Suit No.74 of 2018 as well as Probate Case No.5 of 2018.

4. In the light of the submissions made, this Court is not inclined to grant any relief to the petitioner, this writ petition is hereby dismissed with liberty that petitioner shall



avail remedy before the appropriate forum under the appropriate provisions of law.

(Dr. Anshuman, J)

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