

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17203 of 2017

Uma Rai @ Uma Shankar Rai Son of Ram Roop Rai Resident of Village -
Nauranga, Police Station - Amnaur, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Saran at Chapra
2. The Sub Divisional Magistrate, Maraurha, District Saran.
3. Executive Magistrate, Maraurha, District Saran.
4. The Officer in Charge, Amanaur Police Station, District Saran.
5. Bhuwan Rai Son of Late Deodhari Rai Resident of Village - Nauranga,
Police Station - Amnaur, District - Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Sajid Salim Khan - SC-25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-06-2025 No one appears on behalf of the petitioner though the
State is present.

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

*“That, this Petition is being filed for
setting aside the Order dated 31.7.2017 (Annexure 5)
passed by the Learned Executive Magistrate,
Maraurha, Saran, Respondent no. 3, in Tr. No. 432
of 2017 whereby the Learned Magistrate has
attached the Subject of dispute i.e. landed property of
the Petitioner and his cousin brothers, in exercise of
power under the Provision of Section 146 (1) of the*



Code of Criminal Procedure. Further the Respondent no. 4, Officer in Charge, Amanaur Police Station has been appointed receiver thereof.

The Petitioner further prays for commanding the Respondents not to interfere in any manner with the exclusive Possession of the Petitioner and his brothers over the Subject of dispute. Further the Petitioner prays for issuance of any other appropriate order/orders and direction/directions to which the petitioner is found entitled.”

3. A counter-affidavit is on record and in paragraph-18 it has been recorded that the proper forum to decide such matter is before the competent learned Sessions Judge.

4. Be that as it may, since there is no appearance and/or even reply to the said counter-affidavit, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

Adnan/-

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