

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13295 of 2024

1. Sri Kumar Gandharva, S/o Sri Rajendra Anand, resident of Shardhanand Bazar, Siwan, Bihar.
2. Sri Rajesh Kumar, son of Dhruv Narayan Prasad, resident of 12/127, Sharda Nand Bazar, Siwan, Bihar-841226.
3. Smt. Nidh Gupta, C/o Sri Rajesh Kumar, resident of 12/127, Sharda Nand Bazar, Siwan, Bihar-841226.
4. Sri Dhananjay Kumar, Son of Sri Dhruv Narain Prasad, resident of Sharda Nand Bazar, Siwan, Bihar-841226.
5. Sri Dharam Kumar, s/o Sri Dhruv Narain Prasad, resident of 98, Sharda Nand Bazar, Siwan, Bihar-841226.
6. Smt. Rina Kumari, C/o Sri Dharam Kumar, resident of 12/127, Sharda Nand Bazar, Siwan, Bihar-841226.
7. Sri Ashok Kumar, son of Banwari Lal, Jay Prakash Nagar, Registri Kachahari Road, Siwan, Bihar-841226.
8. Smt. Anu Pandey, W/o Umashankar Pandey, resident of Pipra, Siwan, Mustafabad, Bihar-841439.
9. Sri Sanjay Kumar Tiwary, Son of Sri Ravindra Tiway, resident of Siswan, Siwan, Bihar-841210.
10. Sri Lal Babu Prasad, Son of Sri Chandrama Prasad, resident of Jigrawan, Siwan, Bihar-841238.
11. Sri Shashikant Shekhar, son of Jai Prakash Narayan resident of Flat No.-C/5, Tribhuwan Apartment, Dr. B. Bhattacharya Road, Patel Nagar, L.B.S. Nagar, Patna-800023.
12. M/s Baba Enterprises through its proprietor namely Umashankar Pandey, aged about 49 years (male), son of Rampravesh Pandey, resident of Mustafabad, Siwan, Bihar-841439.
13. Sri Birendra Kumar Tiwary, Son of Sri Rajendra Tiwari, resident of Shashtri Nagar, Siwan, Bihar-841210.
14. Sri Bablu Kumar, Son of Sri Chandrika Sah, resident of Sahid Saray Bazar, Din Dayal Nagar, Siwan, Bihar-841226.
15. Sri Awadhesh Singh Kushwaha, son of Yamuna Singh, resident of Akopur, Siwan, Bihar-841227.
16. Sri Mithilesh Kumar Singh, S/o Modnarayan Singh, resident of Vill-Mahadeva Mission Compound, Siwan, Bihar-841226.
17. Sri Ram Rural Welfare Society through its President namely Naval Kishore Pandey, aged about 50 years, (male), S/o Modnarayan Singh, resident of Sri Ram M.R.I. Scan Centre, Fatehpur, Bypass Road, Siwan, Bihar-841226.

... .. Petitioner/s

Versus

1. The State of Bihar.



- 2. The Principal Secretary, Home Department, Government of Bihar, Patna.
- 3. The Principal Secretary, Revenue Department, Government of Bihar, Patna.
- 4. The District Magistrate, Siwan.
- 5. The Superintendent of Police, Siwan.
- 6. The Circle Officer, Panchrukhi, Siwan.
- 7. The Officer in Charge, Panchrukhi Police Station, Siwan.
- 8. The Central Bank of India through its Zonal Head, Central Bank of India, 2nd Floor, Block B, Maurya Complex, Dak Bunglow Road, Patna-800001.
- 9. The Regional Manager, Central Bank of India, 1st Floor, Patel Chowk, Opp. Collectorate, Siwan, Bihar-841226.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashish Giri, Sr. Adv. Mr. Rajat Kumar Tiwary, Adv. Ms. Deepika Sharma, Adv.
For the Respondent/s	:	Mr. Standing Counsel (3) Ms. Neelam Kumari, AC to SC 3
For the Resp./Bank		Mr. Ajay Kumar Sinha, Sr. Adv. Mr. Ajit Kumar Sinha, Adv. Mis. Dilkash Khan, Adv. Mr. Pravin Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

4 24-02-2025 The only prayer sought for by the petitioners in the present writ petition is seeking a direction to the District Magistrate, Siwan (Respondent No. 4) to hand over the peaceful possession of the subject property as directed by D.R.T., Patna vide Order dated 26.06.2023 in R.P. No. 80/2000 and 44/2021 (Annexure P/8).

2. Learned counsel appearing on behalf of the petitioners has stated that though the order was passed way back in the month of June, 2023 and the petitioners have also given due representations dated 18.07.2023 and 06.03.2024 to the



District Magistrate, Siwan (Annexures P/9 and P/10) for handing over the peaceful possession of the subject property but till date the District Magistrate, Siwan has not taken any action.

3. Learned Senior counsel appearing on behalf of the respondents-Bank has stated that the Bank has no role to play and unless the District Magistrate acts on the orders of the Court, nothing remains to be done by them.

4. Learned Senior counsel appearing on behalf of the respondents-State has stated that she has no objection if a direction is given to the District Magistrate, Siwan to act in accordance with law and hand over the peaceful possession of the subject property to the petitioners.

5. Having regard to the above made submission without going into the merits or demerits of the case, the present writ petition is disposed of directing the District Magistrate, Siwan (Respondent No. 4) to implement the order dated 26.06.2023 passed in R.P. No. 80/2000 and 44/2021 (Annexure P/8) as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of a copy of this order. The authority shall duly take into consideration the representations made by the petitioners (Annexures P/9 and P/10).



6. With the above directions, the present writ petition
stands disposed of.

(A. Abhishek Reddy , J)

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