

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1562 of 2022

Arising Out of PS. Case No.- Year-0 Thana- District- Madhubani

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VIJAY CHANDRA JHA Son of Late Bhagirath Jha R/V- Sohrai
Mohiudvinpur P.O- Pandaul, P.S- Sakri, Dist- Madhubani (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Madhubani Bihar
2. The District Magistrate, Madhubani Bihar
3. The Sub-divisional Magistrate, (S.D.M.) Sadar, Madhubani Bihar
4. Sachindra Mishra Son of Late Subh Kant Mishra R/V- Sohrai,
Mohiuddinpur P.O- Pandaul, P.S- Sakri Dist- Madhubani (Bihar)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Nath Jha
For the State	:	Mr. Sheo Shankar Prasad
For the Respondent No.4:	:	Mr. Rajni Kant Jha
	:	Mr. Prisu Snehi
	:	Mr. Aman Anand

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 01-07-2025 Heard learned counsel for the parties.

2. The Sub-divisional Magistrate, Sadar, Madhubani has appeared personally to assist this Court. It has been submitted by the Sub-divisional Magistrate, Sadar, Madhubani, that after he has joined in Madhubani, no proceeding under Section 144 of Cr.P.C. has been initiated by him and the last proceeding under Section 144 of Cr.P.C. was initiated in the year 2022.

3. Learned counsel for the petitioner and the learned counsel for the respondent no.4 have submitted that Title Suit



No.36 of 2016 is pending in the Court of Sub Judge, Madhubani.

4. Once a Title Suit is pending in the District Court, the Sub-divisional Magistrate will not initiate any proceeding under Section 144 of Cr.P.C./Section 163 of B.N.S.S.

5. The Sub Judge concerned before whom the title suit is pending will dispose of the aforesaid title suit within one year.

6. It will proceed *exparte* against non co-operating party. If the plaintiff does not cooperate in the disposal of the title suit, the Sub Judge will dismiss it for non prosecution.

7. Let a copy of this order be communicated to the Principal District and Sessions Judge, Madhubani, through FAX for its compliance forthwith.

8. With the aforesaid directions, this application is disposed of.

9. The personal appearance of Sub-divisional Magistrate, Sadar, Madhubani, shall stand dispensed with.

(Sandeep Kumar, J)

anand/-

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