

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6291 of 2026**

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1. Parasnath Gupta Son of Late Bhawani Dayal Gupta, Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District - Kaimur (Bhabua).
2. Ganesh Prasad Gupta, Son of Late Aditya Prasad Gupta Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District - Kaimur (Bhabua).
3. Sanjay Kumar Gupta @ Sanjay Kumar, Son of Late Shatrughan Prasad Gupta Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District - Kaimur (Bhabua).
4. Ashok Kumar Gupta, Son of Late Vijay Bahadur Gupta Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Old Secretariat, Patna.
3. The District General of Police, Bihar Sardar Patel Bhawan J.L. Nehru Path, Patna.
4. The District Magistrate, Kaimur (Bhabua).
5. The Superintendent of Police, District- Kaimur (Bhabua).
6. The Sub Divisional Officer, Mohania, Kaimur (Bhabua).
7. The Station House Officer, Police station- Mohania, District- Kaimur (Bhabua).
8. The Circle Officer, Mohania, Kaimur (Bhabua).
9. Radhe Shyam Ram, Son of Late Naga Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
10. Sohan Ram @ Biral Ram, Son of Late Naga Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
11. Dipti Ram, Son of Late Ram Gati Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
12. Bairister Ram, Son of Late Ram Gati Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
13. Ram Ekbal Ram, Son of Late Dilipa Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
14. Santosh Ram, Son of Saudagar Ram Resident of Village and P.O.-



- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
15. D.C. Lal, Son of Ram Ekbal Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  16. Prem Ram, Son of Late Sagar Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  17. Mani Ram, Son of Late Sagar Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  18. Pappu Ram, Son of Sudama Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  19. Ram Ashresh Ram, Son of Sudama Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  20. Ram Pratap Ram, Son of Late Dudhnath Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  21. Ghashi Ram, Son of Late Kumar Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  22. Shivchandra Ram, Son of Late Kishun Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  23. Ramdarash Ram, Son of Late Ramnandan Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  24. Kalister Baitha, Son of Rogi Baitha Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  25. Ram Sewak Ram, Son of Late Aklu Ram Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).
  26. Rogi Baitha, Son of Late Manbodh Baitha Resident of Village and P.O.- Kaudiram, P.S.-Mohania, District- Kaimur (Bhabua).

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Radha Mohan Pandey, Advocate  
For the Respondent/s : Mr. Anant Prasad Singh SC-15  
Mrs. Deepika Sharma AC to SC-15

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      11-05-2026      Heard the parties.

2.The present writ application has been filed against



the order dated 15.12.2025 passed by the learned Civil Judge (Senior Division), Mohania, Kaimur in Title Suit No. 508 of 2023, whereby the injunction petition filed by the plaintiffs-petitioners under Order XXXIX Rules 1 and 2 of the C.P.C. has been disposed of in the following terms:-

*“(a) Both the plaintiff and the defendant are hereby restrained from disturbing the existing possession of the suit property described in Schedule "Kha" of the plaint. The parties shall strictly maintain the status quo with respect to the possession, nature, and character of the suit property as it exists on the date of this order, until the final disposal of the suit.*

*(b) Neither party shall, during the pendency of the suit:*

*(1) Create any third-party rights or interest in the suit property;*

*(2) Alter, change, or damage the nature or character of the suit property:*

*or*

*(3) Attempt to forcibly dispossess the other party from the suit property.”*

3. Against the impugned order, a statutory remedy of appeal under Order XLIII Rule 1(r) of the Code of Civil Procedure is available and, therefore, the present writ petition under Articles 226 and 227 of the Constitution of India is not maintainable.

4. Accordingly, the writ petition stands disposed of with liberty to the petitioners to avail the statutory remedy available against the order passed on the application filed under



Order XXXIX Rules 1 and 2 of the C.P.C. before the appropriate appellate forum, if so advised.

5. In the event the petitioners approach the appellate forum, the period spent in prosecuting the present writ application before this Court shall be taken into account while considering the question of limitation, if any.

6. With the aforesaid observations and directions, the writ petition stands disposed of.

**(Khatim Reza, J)**

shyambihari/-

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