

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10800 of 2017

- 1.1. Sanjay Kumar @ Sanjay Kumar Anupam, Son of late Saudagar Yadav, Resident of Village - Bharosa Tola, Ishari, P.S. - Muffasil, District- Nawada.
- 1.2. Rajan Kumar S/o late Saudagar Yadav, Resident of Village - Bharosa Tola, Ishari, P.S. - Muffasil, District- Nawada.
- 1.3. Rohit Kumar S/o late Saudagar Yadav, Resident of Village - Bharosa Tola, Ishari, P.S. - Muffasil, District- Nawada.
- 1.4. Subodh Kumar Son of late Saudagar Yadav, Resident of Village - Bharosa Tola, Ishari, P.S. - Muffasil, District- Nawada.
- 1.5. Raj Kumari Wife of late Saudagar Yadav, Resident of Village - Bharosa Tola, Ishari, P.S. - Muffasil, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector-cum-District Magistrate, Nawada.
3. The Sub Divisional Officer-cum Sub Divisional Magistrate, Nawada Sadar, District- Nawada.
4. The Circle Officer, Nawada Sadar, District- Nawada.
5. The Station House Officer, Nawada Nagar Police Station, District- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the State : Mr. Dhurjati Kumar Prasad, GP-14

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-02-2026 Heard the parties.

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

“(i) for quashing/ setting aside the proceeding initiated under section 144 of Cr.P.C. by the S.D.M., Nawada Sadar contained in Case No. 574/2017 which was initiated on the basis of



the letter no. 809 dated 23.06.2017 of Anchal Adhikari, Nawada Sadar.

(ii) for a direction to the Respondent authorities not to interfere with the title, right and possession of the petitioner over the land in question as he obtained the judgment and decree in respect to the land from the Civil Court of competent jurisdiction.

(iii) for any other relief/reliefs for which the petitioner would be found entitled under the facts and circumstances of the case.”

3. At the outset, learned State counsel points out that proceeding initiated under section 144 of the Cr.P.C. by the Sub-Divisional Magistrate, Nawada in Case No. 574 of 2017 was challenged. With the help of paragraph no. 18 of the counter affidavit filed on behalf of the respondent no. 2 to 4, further submission is that vide an order dated 21.08.2017 it was converted into section 145 of the Cr.P.C. proceeding which has not been challenged by the writ petitioner. In that background, he submits that the writ petition has become infructuous.

4. Considering the submission of the parties and the aforesaid development that has taken place, copy of the counter



affidavit was supplied upon learned counsel for the petitioner on 08.03.2019, not rebutted, in that background, accepting the words of the learned State counsel, the writ petition is disposed of as become infructuous.

(Rajiv Roy, J)

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