IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12986 of 2026

CNR No. BRHC010892192026

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Jawaharlal Jha Son of Late Ram Udar Jha, Through his son Ajit Kumar Jha, both being permanent resident of Mohalla- Sahjanand Colony, P.S.- Sadar in the town and district of Muzaffarpur and presently residing at 1st Floor, Sita Bhawan, South Gandhi Maidan, P.S. Gandhi Maidan, town and district - Patna 800001

... ... Petitioner/s

Versus

1. State of Bihar.
2. Senior Superintendent of Police, Muzaffarpur.
3. Mr. Mohibullah Ansari, The City Superintendent of Police, Muzaffarpur.
4. Mr. Navlesh Kumar Azad, the S.H.O. Of P.S. - Sadar, Muzaffarpur.
5. Mr. Mahendra Shukla, the Circle Officer, Mushari Anchal Muzaffarpur.
6. The District Registrar, Muzaffarpur.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Ajit Kumar Jha, Advocate
For the Respondent/s : Ms. Namrata Mishra, AAG9
Mr. Avinash Kumar, AC to AAG9

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 29-10-2026 Heard learned counsel for the petitioner and learned counsel for the State-respondents.

2. The instant writ petition has been filed for the following relief(s):-

(i) For issuance of an appropriate writ, particularly in the nature of a writ of mandamus/and or any other appropriate writ or direction, commanding upon the respondent authorities to follow the direction of the learned trial court served on them to implement and ensure compliance with the subsisting order of status quo dated

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17.03.2023 passed by the learned Sub-Judge-IX, Muzaffarpur in Title Suit No. 332 of 2017, and to prevent forcible interference, demolition, trespass, construction or further alienation of the subject property by parties to the suit or their agents, during pendency of the said suit / injunction petition pending before the learned trial court. The petitioner does not seek adjudication of title or inter-se disputes, by this Hon'ble Court; and confines the present writ petition for his protection and for enforcement of the subsisting judicial order which is why, no private party/ parties to the aforesaid suit have been impleaded in the present Writ petition.

3. On special mentioning made by the learned counsel for the petitioner that City S.P. was interfering with the possession of this petitioner without any authority and therefore, this Court had the occasion to pass the following orders on 21.08.2026:-

"Learned counsel for the petitioner, by referring to the order passed by the learned Sub-Judge-IX, Muzaffarpur, in Title Suit No. 332 of 2017 (Counter Claim Title Suit No. 332/17-A), in the case of Jawahar Lal Jha vs. Pawan Kumar Jha & Others, submits that the learned Sub-Judge-IX is said to have passed an interim order dated 17.03.2023 directing the parties to maintain status quo. Despite the said status quo order having been passed by the learned Court concerned and due communication thereof having been made to all concerned, the City SP, Muzaffarpur, is allegedly

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interfering with the said status quo order and coercing the petitioner to vacate the land in question.

2. Learned counsel for the State is directed to obtain instructions as to how the City SP, Muzaffarpur, is interfering in the disputed issues while the title suit is pending before the learned Court.

3. It is made clear that appropriate communication shall be made by learned counsel for the State to the Circle Officer, Mushari Anchal, Muzaffarpur, as well as to the City SP, not to coerce the petitioner. If there is any valid reason for interfering in the matter, all such materials shall be brought on record by way of an appropriate affidavit in the present case for consideration by the Court."

4. Pursuant to the order dated 21.08.2026 passed by this Court, a counter affidavit has been filed, wherein a specific stand has been taken by the learned counsel for the respondent that the State officials would not interfere in the matter without there being any specific direction issued with regard to the disputed plot in question.

5. At this stage, learned counsel for the respondent submits that they will not interfere with either the possession of this petitioner or the proposed intervener respondent in this case, so long there is no specific direction by the Court concerned in the pending suit. And since, the petitioner has not impleaded the proposed intervener, against whom the relief is being sought and

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who is alleged to have committed the act of aggression and demolished the boundary wall, which dispute is pending, adjudication in the pending suit, therefore, this Court is of the opinion that the parties may seek appropriate remedies in the pending suit, as and when occasion arises to them.

6. With the aforesaid observations and directions, the instant writ petition along with all the interlocutory applications pending, if any, stands disposed of.

(Ajit Kumar, J)

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