

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18140 of 2025

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1. Urmila Chaudhary Wife of Late Rajaram, Resident of Mohalla-Chaudhary Tola, Azad Lanea, Police Station-Sultanganj, District-Patna, Pin Code-800006.
 2. Meena Kumari, Wife of Ashutosh Kumar, Resident of Mohalla-Patel Colony, Sandalpur Kumhrar, Police Station-Alamganj, District-Patna, Pin Code-800007.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The District Magistrate cum Collector, Patna.
4. The Sub-Divisional Officer, Patna City, District-Patna.
5. The Circle Officer, Patna City, Patna.
6. Punam Prakash, Wife of Arun Prakash, Resident of Mohalla-Patel Colony, Sandalpur Kumhrar, Police Station-Alamganj, District-Patna, Pin Code-800007.
7. Dasrath Prasad, Son of Late Gulam Sah, Resident of Mohalla-Patel Colony, Sandalpur Kumhrar, Police Station-Alamganj, District-Patna, Pin Code-800007.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.
For the Respondent/s : Mr. Government Pleader (12)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-07-2026 Heard learned counsel for the parties.

2. The instant writ application has been filed for the
following relief;

*(i) For issuance of writ in the nature of
Mandamus for commanding to the respondent No. 4,
the Sub-Divisional Officer, Patna City, Patna to
decide the pending application under Section 147 of*



the Code of Criminal Procedure to decide the Right of Easement of the petitioners on the way situated in front of house of the petitioner No. 2 as there is no alternative way to coming out the petitioners to his house after enquiry in accordance with law in the interest of justice.

(ii) And/or any other relief/reliefs and compensation admissible under the law the light in circumstances of interest of justice. of facts and the case in the interest of justice.”

3. At the outset, learned counsel for the petitioners submits that the petitioners have already submitted all the relevant documents and deeds before the Sub-Divisional Officer, Patna City, Patna (Respondent No. 4) but, till date, the proceeding under Section 147 of the Cr.P.C. remains pending adjudication without any rhyme or reason and, accordingly, prays for a direction to the Respondent No. 4 to dispose of the same.

4. Considering the aforesaid submission of learned counsel for the petitioners, the Sub-Divisional Officer, Patna City, Patna (Respondent No. 4) is directed to decide the pending application filed under Section 147 of the Cr.P.C. for



adjudication of the petitioners' right of easement over the pathway situated in front of the house of petitioner No. 2, after affording an opportunity of hearing to all the affected persons concerned, within a period of eight weeks from the date of receipt/production of a copy of this order.

5. With the aforementioned observation and direction, the writ application stands disposed of.

(Ajit Kumar, J)

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