

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.25378 of 2013**

- =====
1. Most. Kiran Bala Wife of Late Binod Kumar Resident of G/114 Peoples Co-Operative Colony, Kankarbagh, P.S. Kankarbagh, P.O. Lohia Nagar, Dist Patna.
  2. Abhilekh Kumar Son of Late Binod Kumar Resident Of G/114 Peoples Co-Operative Colony, Kankarbagh, P.S. Kankarbagh, P.O. Lohia Nagar, Dist Patna

.... .... Petitioner/s

Versus

1. The State Of Bihar through Collector Patna
2. Subdivisional Magistrate, Patna city
3. Senior Superintendent of Police, Patna
4. Officer Incharge, Alamganj, Police Station, Patna-7
5. Dr. Smt. Priyanka Priyadarsini Wife Of Suresh Kumar Singh Resident Of Village Rusulpur, Kora Gaown, P.S. Goraul, P.O. Hajipur Dist Vaishali at Present Mohalla Bagmali P.S. Hajipur, P.O. Hajipur, Dist Vaishali
6. Suresh Prasad Singh Son Of Shri Chandrika Prasad Singh Resident Of Village Rusulpur, Kora Gaown, P.S. Goraul, P.O. Hajipur Dist Vaishali At Present Mohalla Bagmali P.S. Hajipur, P.O. Hajipur, Dist Vaishali
7. Sujay Son Of Late Faggu Mahto Resident Of Mohalla Kaswa Krishnabagh P.S. Mehdiganj, P.O. Jhauganj, Dist Patna

.... .... Respondent/s


=====

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

2      28-02-2014                      Heard learned counsel for the petitioners and AC to  
  
SC-16 for the State.

This application seeks following relief(s) as culled  
  
out in paragraph no.1 which reads thus :-

*“1. That this is an application for issuance of writ in the nature of Mandamus, directing the respondents to stop making illegal construction and to demolish the construction recently made by respondent no. 5 to 7 over 2 ½ katha land under 10’ height brick built boundary wall from all sides having big iron gate in the west bearing part of c.c. plot no. 1509 , part of*



*m.s plot no. 3171, tauzi no. 303, khata no. 672 ward no.18, sheet no. 179, circle no. 79 situated in mauja sandalpur, Mohalla Danka Imli now Gaighat ( south of civil court Patna city) below Ganga Bridge Dist Patna and the same is bounded in the north-Sahayak Rasta, in the south-Chandeshwar Rai and Madan Pandit, in the east Sayak rasta and in the west, road and , to hand over the possession of the same to the petitioner after vacating the trespassed respondents no. 5 to 7 who are in collusion.”*

I am afraid the writ jurisdiction can be invoked for directing the private respondents herein to forbear from doing any particular thing. The petitioners have remedy either before the Court of competent civil jurisdiction or the criminal Court.

Learned counsel for the petitioners, after making submissions at some length, submits that the petitioners would approach the authorities for ventilation of the grievance as raised in this application. While not granting the relief, as prayed for in this application, this Court would permit the petitioners to approach the appropriate/concerned respondent ventilating the grievance as raised in this application.

The application stands disposed of.

**(Kishore Kumar Mandal, J)**

Shyam/-