

ITEM NO.13 Court 16 (Video Conferencing) SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 9347/2021

(Arising out of impugned final judgment and order dated 17-02-2020 in CRLR No. 413/2018 passed by the High Court of Judicature at Patna)

RAJ KISHORE PRASAD

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.157725/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.157727/2021-EXEMPTION FROM FILING O.T. and IA No.157728/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 13-12-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. Sumit R. Sharma, AOR
 Mr. Sumeet Anand, Adv.
 Mr. Pratyush Parimal, Advocate

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

We are not inclined to interfere with the impugned order, but clarify that it will be open to the petitioner to raise all pleas and contentions including the plea that the second respondent has encroached upon the passage, by way of an application in the civil suit filed by the second respondent; or by way of a separate suit, if so advised and permissible in law.

If any such plea and contention is raised by the petitioner, the same would be examined on merits without being influenced by the observations made in the impugned order.

Recording the aforesaid, the special leave petition is dismissed.

Pending application(s), if any, stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR