

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1308 of 2014

IN

Civil Writ Jurisdiction Case No. 20300 of 2012

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Hiralal Sah, S/o Late Narayan Sah, Resident of Village Sahuri, P.S. Birpur, District Begusarai, at present resident of Village Mubarakpur, P.O. Saraunja, P.S. Birpur, District Begusarai.

.... Petitioner

Versus

1. The State of Bihar through Mr. Viyash Jee, The Principal Secretary, Department of Land Reforms, Government of Bihar, Patna.
2. Sri Manoj Kumar, District Magistrate, Begusarai.
3. Sri Vijay Kumar Tiwari, Circle Officer, Barauni Block, District Begusarai.
4. Sri Jitendra Kumar, Officer-in-Charge, Birpur Police Station, District Begusarai.
5. Sri Ashok Paswan, Sarpanch, Gram Katchaheri Sahuri, Police Station Birpur, District Begusarai.
6. Bhogindra Poddar @ Bhoju Poddar, S/o Late Kamli Poddar
7. Jagdeo Sah, S/o Nathuni Sah
8. Savitra Devi, W/o Bhogindra Poddar @ Bhoju Poddar, Opposite Party No. 6 to 8 are resident of Village and Post Office Sahuri, Police Station Birpur (Barauni), District- Begusarai.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Shashi Dhar Jha, Advocate.

For the Opposite Parties : Mr. Sandeep Kumar, G.A. 8

Mr. Vivekanand Singh, A.C. to G.A. 8

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 06-08-2015

In the light of my order dated 03, 05.08.2015 Circle Officer, Barauni is present, has filed show-cause annexing order dated 15.06.2015 passed in compliance of the order of the High Court as also has produced photograph of the place and with reference to the same submits that part of the lands-in-question measuring 18 dhurs is in

occupation of Bhogindra Poddar for about 30 years, in the circumstances according to him he is not required to be removed from the lands-in-question which is Gairmajarua Khas in nature by resorting to a summary proceeding under the Public Land Encroachment Act.

2. Aforesaid stand is being disputed by the counsel for the petitioner. He is at liberty to assail the order dated 15.06.2015 passed by Circle Officer, Barauni in accordance with law.

3. The contempt application is, accordingly, disposed of.

(V.N. Sinha, J)

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