

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3674 of 2014

IN

Civil Writ Jurisdiction Case No. 4113 of 2012

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1. Umesh Prasad, Son of Late R.S. Lall, Resident of F/642, Housing Board Colony, At & P.O.- Lohiya Nagar, Kankar Bagh, Patna.
 2. Smt. Smriti Priyadarshni, wife of Sri Sanjeev Kumar, Resident of F/634, Housing Board Colony, At & P.O.- Lohiya Nagar, Kankar Bagh, Patna.
 3. Satya Narayan Prasad, Son of Late Ram Charan Prasad, Resident of F/635, Housing Board Colony, At & P.O.- Lohiya Nagar, Kankar Bagh, Patna.
 4. Smt. Malti Devi, Wife of Shyam Behari Singh, Resident of F/641, Housing Board Colony, At & P.O.- Lohiya Nagar, Kankar Bagh, Patna

.... Petitioners.

Versus

1. The State of Bihar, through the Secretary, Urban Development Deptt., Government of Bihar, Patna, Mr. Sandeep Paundrik.
2. Mr. Manish Kumar Verma,
The District Magistrate, Patna.
3. Mr. Anupam Kumar Suman, The Managing Director, Bihar State Housing Board, At- Mangles Road, Patna.
4. Mr. Kuldeep Narayan, Administrator,
Patna Municipal Corporation, Patna.

.... Respondent/

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Appearance :

For the Petitioner/s : Mr. Ratnesh Nandan Sinha, Advocate.

For the Respondent/s : Mr. Sandeep Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

Date: 30-01-2015

The present contempt application has been filed asserting non compliance of the order dated 01.03.2012 passed in C.W.J.C. No. 4113 of 2012.

2. By filing show cause, State respondents have submitted that in the light of the order dated 01.03.2012, Encroachment Case No. 02/ 2012-13 was initiated and notice issued

to the encroachers to appear in the matter, which notice has been challenged by the noticee in C.W.J.C. No. 20716 of 2014 and in the subsequent writ case under order dated 08.12.2014, further proceeding in the aforesaid encroachment case has been stayed, the copy of the order is contained in Annexure B to the show case. As the encroachment proceeding initiated by the Collector under the Act has been stayed by this Court, petitioner would be well advised to appear in the aforesaid C.W.J.C. No. 20716 of 2014 for opposing the prayer made in the said writ case.

3. With the aforesaid observation, contempt application is, accordingly, disposed of.

(V.N. Sinha, J)

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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