

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3151 of 2014

In
Civil Writ Jurisdiction Case No. 779 of 2013

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1. Binod Yadav son of Sh. Kawal Yadav, resident of Village- Kolhwa Ghat,
Police Station- Srinagar Pujahan, District- West Champaran, Bettiah

.... Petitioner/s

Versus

1. The State of Bihar through Mr. Amrit Lal Meena, the Principal Secretary, Sugan Cane Department, Government of Bihar, Patna
2. Mr. Chitranjan Singh, The Cane Commissioner, null Sugan Cane Department, Government of Bihar, Patna
3. Mr. S.N. Lal, the Deputy Cane Commissioner, Sugan Cane Department, Government of Bihar, Patna
4. Mr. Lokesh Kumar Singh, the District Magistrate, West Champaran, Bettiah
5. Mr. Umesh Singh, the Cane Officer, West Champaran, Bettiah

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Respondent/s : Mr. Sunil Kr. Mandal

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 13-05-2015 Heard learned counsel for the petitioner and learned
counsel for the opposite party.

The writ application filed by the petitioner, vide
C.W.J.C.No. 779 of 2013, was disposed of by order dated
23.09.2013. The operative portion whereof reads as under :

“ Having heard the parties, this application
is disposed of granting the petitioner liberty to
approach the Cane Commissioner for
change/modification in the allotment of land to a
particular Sugar Mill functioning in the said
sector/ area on the ground set out therein. If any
such application/ representation is filed, the
respondent Cane Commissioner shall consider
the same in accordance with law while reserving

the area after expiry of the period of present settlement/ arrangement.

This Court has not been apprised by the petitioner that after expiry of the settlement period a fresh consideration is required to be made by the Cane Commissioner based on objections raised by the Cane grower or the Sugar Mill concerned. This Court only observes that the representation of the petitioner shall be considered by the respondent Cane Commissioner before initiation of another crushing year as per the relevant rule governing the case.”

The petitioner by filing this contempt application alleges willful disregard/disobedience of the order passed by this Court by the Cane Officer.

A show cause has been filed on behalf of the concerned opposite party.

Counsel for the State has drawn the attention of the Court to the averments made in paragraph nos. 9, 10, 11 and 12 and also order dated 24.09.2014 (Annexure- D) and submitted that after inviting objections from all concerned, the order has been passed.

Counsel for the petitioner states that the representation of the petitioner was not considered.

In a case, like this where several cultivators are involved, the opposite party- District Magistrate issued general notice inviting objections from all concerned but the petitioner

did not turn up to press his objection which was made.

In the light of facts stated in the show cause I am satisfied that the order of this Court has substantially been complied with.

The present contempt application has no merit and it is accordingly dismissed.

(Kishore Kumar Mandal, J)

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