

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1539 of 2007

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Sunil Kumar Paswan Petitioner

Versus

State of Bihar & Ors Respondents

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Appearance :

For the Petitioner/s : Mr. Sarvendra Kumar Verma
 Mr. Uday Kumar

For the Respondent/s : Mr. (Aag3)
 Mr. Vishwa Bibhuti Kumar

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

26 05-01-2015 The instant application has been filed for alleged violation of order, dated 23.1.1996 passed in C.W.J.C. No.613 of 1996. In the writ application, the petitioner has prayed for direction to the respondents not to demolish the structure built by the petitioner over plot no.1777, Circle No.103, Old Ward No.20, New Ward No.26 within Alamganj P.S., Patna, known as Tulis Mandi.

The case of the petitioner is that the aforesaid land was allotted to him by the erstwhile Patna Municipal Corporation. The writ application was disposed of with an observation that the land would be measured on 12th February, 1996 on which date the parties would be present. Till final measurement is done, status quo, as existing on that date, would be maintained.

The case of the petitioner is that the measurement was not done on 12th February, 1996. The petitioner alleged that on the

other hand structure over the said land has been demolished in the year 2007.

A show cause has been filed in the contempt application both by Patna Municipal Corporation as well as the State Government denying the allegations that they have demolished the structures.

Counsel for the petitioner relied upon a report of the District Magistrate in which it has been stated that IRKON International Limited has made demolition.

Irkon International Limited is not party in this contempt application.

As the parties to the contempt application have denied their role in the demolition, which stands further affirmed from the report of the District Magistrate, no contempt is made out against the parties in this contempt application. Besides this, the petitioner too has not raised any grievance any time before demolition of structure that no measurement was done on 12.2.1996. This contempt is dropped and this application is disposed of accordingly.

(Samarendra Pratap Singh, J)

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