

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2495 of 2014

In
Civil Writ Jurisdiction Case No. 1764 of 2011

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Parneshwar Lal S/o Late Sheo Prasad Lal, Resident of Village Bartiar, P.S. Sandesh, District Bhojpur, At present Mohalla Birla Colony, Phulwarisharif, Patna, District Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Shri Hukum Singh Mina, Director, Land Records and Survey Department, Govt. of Bihar, Patna.
3. Shri Shrawan Kumar, Settlement Officer, Survey Settlement Department, Baldeo Bhawan, Punaichak, Patna.
4. Shri Nilkamal, the Charge Officer, Survey Settlement Department, Baldeo Bhawan, Punaichak, Patna.
5. Shri Anil Kumar Pandey, the Assistant Settlement Officer, Head Quarter, Baldeo Bhawan, Punaichak, Patna.

.... Opp.Parties.

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh

For the Respondent/s : Mr. AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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2 08-01-2015 Heard learned counsel for the petitioner and learned A.C. to Govt. Pleader no.2.

The present petition has been filed with a prayer to initiate contempt proceeding against Opp.Parties on an allegation of wilful disobedience to an order dated 28.01.2014 passed in C.W.J.C.No.1764 of 2011. By the said order, the writ petition was disposed of with a direction to the respondents to consider the representation of the petitioner and dispose it of in accordance with law.

In this case, by filing show cause, Opp.Party nos.1 to 5 have brought on record as Annexure-A i.e. order, contained in Memo No.1307 dated 22.08.2014 passed by the Addl. Secretary-cum- Director , Land Records and Survey Department, Govt. of Bihar. It was submitted by learned State Counsel that in compliance with the order of the writ court, after considering the representation, same has been rejected vide Annexure-A to the show cause.

Learned counsel for the petitioner tried to persuade the Court that there are apparent errors in the order i.e. Annexure-A to the show cause.

Keeping in view the fact that in compliance with the order of the writ court, representation of the petitioner has been disposed of, the Court is of the opinion that the order of the writ court has already been complied with. However, correctness of the order, i.e. Annexure-A to the show cause, may not be examined in the contempt proceeding. If the petitioner feels aggrieved with the order i.e. Annexure-A to the show cause, he would be at liberty to avail appropriate remedy.

The petition stands disposed of with liberty as indicated above.

NKS/-

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(Rakesh Kumar, J)