

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2166 of 2015

In
Civil Writ Jurisdiction Case No. 9048 of 2013

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1. Narendra Nandan Son of Late Ram Sharan Prasad Resident of Nohsua,
Police Station - Ben, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Vyas Ji Son of Not Known to the Petitioner, the Principal Secretary,
Department of Revenue and Land Reforms, Govt. of Bihar, Patna
3. Sri Kartik Son of Not Known to the Petitioner, the District Magistrate,
Nalanda
4. Sri Subodh Kumar Son of Not Known to the Petitioner, the Circle
officer, Ben, Nalanda
5. Vashdeo Prasad Son of Late Bhagirath Prasad Resident of village -
Nohsa, Police Station Ben, District - Nalanda
6. Radhika Sinha D/o Late Anandi Prasad Resident of village - Nohsa,
Police Station Ben, District - Nalanda
7. Subodh Prasad Son of Ayodhya Prasad Resident of village - Nohsa,
Police Station Ben, District - Nalanda
8. Sachidanand Prasad Son of Late Nathun Lavan Kumar Resident of
village - Nohsa, Police Station Ben, District - Nalanda

.... Opp.Parties/ Contemnors.

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Respondent/s : Mr. Sunil Kumar AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 07-09-2016

Heard.

The application alleges wilful/deliberate
disregard/disobedience of the order dated 24.01.2014 passed in
C.W.J.C. No. 9048 of 2013 (Annexure-1). The operative part of
the order reads as under:-

“Upon production of certified copy of the
order before the Respondent Circle Officer
along with an application the said

respondent, Circle Officer shall register a case under the Act and proceed to dispose of the same in accordance with law as quickly as possible preferably within four months from the date of initiation thereof.”

A show cause is filed after service.

The counsel for the State submits with reference to the statements made in paragraph no. 6 as well as Annexures C, D and H that prior to disposal of the case, the opposite party had registered a proceeding under the relevant provisions of the Public Land Encroachment Act vide case no. 09 of 2012-13 in which notices were issued and an order under Section 6(2) of the Act has been passed. It is stated that these facts were not brought to the notice of the Court when the impugned order was passed.

Be that as it may, considering the statements made in the show cause, I am satisfied that the opposite party has not wilfully and/or deliberately disregarded/disobeyed the order of this Court.

The contempt petition is dismissed.

(Kishore Kumar Mandal, J)

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