

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3729 of 2014

In
Civil Writ Jurisdiction Case No. 11299 of 2013

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1. Sambhu Prasad Gupta Son of Late Jagarnath Sah R/o Village Dighikala,
P.S Hajipur Town, District Vaishali, Hajipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Vyas Ji, The Director, Consolidation, Bihar, Patna
3. Sri Uma Shankar Mandal, The Assistant Director, Consolidation,
Vaishali at Hajipur
4. Sri Chandrama Rai, The Deputy Director, Consolidation, Vaishali at
Hajipur
5. Sri Parmeshwar Rai Son of Late Chakardeep Rai R/o Village Dighikala,
P.S Hajipur Town, District Vaishali, Hajipur

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

2 09-11-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The contempt application has been filed against the
opposite parties of the State as also opposite party No.5 alleging
willful disobedience of the interim order dated 21.10.2013 passed
in C.W.J.C. No.11299 of 2013. By the said order, while this Court
issuing notice to the present opposite party No.5 had directed that
until further orders, the impugned order dated 13.01.1998 shall
remain stayed.

Learned counsel for the petitioner submits that despite
the said interim order and ultimately the impugned order having



been set aside by this Court by allowing the writ petition, the opposite party No.5 is still continuing to fill up the land and is constructing a house over the land in question.

The aforesaid action of opposite party No.5, even if as alleged by the petitioner, cannot be held to be a contempt of the order of this Court. The matter in hand is with regard to the right and title of the parties and the impugned order dated 13.01.1998 has been quashed by this Court on the ground that it was in excess of jurisdiction of the authority concerned.

For the aforesaid reasons, I do find any case for proceeding against the opposite parties under the contempt jurisdiction of this Court.

The contempt application is, accordingly, dismissed.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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