

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.513 of 2014

In

Civil Writ Jurisdiction Case No. 13236 of 2012

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1. Sanjeev Gupta @ Chunni Lal S/O Late Panna Lal Gupta Resident Of Mohalla- Chawar Takia, P.O- Sasaram, Distt- Rohtash.

.... Petitioner/s

Versus

1. The State Of Bihar Through Mr. Ashok Kumar Singh, The Chief Secretary, Government Of Bihar, Patna.
2. Mr K. Siddarth, The Principal Secretary, Urban Development And Housing Department, Government Of Bihar, Patna.
3. Mr. Sandip Kumar, The District Magistrate, Sasaram.
4. The Nagar Parishad, Sasaram Through Its Executive Officer, Sasaram Mr. Prahlad Lal
5. Mr. Prahlad Lal, The Executive Officer Nagar Parishad, Sasaram.
6. Vimal Gupta S/O Late Mohan Sah Resident Of Mohalla- Chawar Takia, Ward No. 13, Sasaram, District- Rohtash.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

4 26-10-2016 Heard learned counsel for the petitioner and learned counsel for the State as also learned counsel for opposite party No.6.

The contempt application has been filed alleging non-compliance of the order under contempt dated 16.07.2013 passed in C.W.J.C. No.13236 of 2012. The writ application was disposed of with the direction to the Executive Officer, Nagar Parishad, Sasaram to ensure that the provisions of the Bihar Municipal Act are complied with by the Nagar Parishad when complaints, including the one by the petitioner are made before them



expeditiously and the further direction was to look into the complaint and dispose of the same within two months.

In the show cause filed on behalf of opposite party No.4, the Executive Officer, Nagar Parishad, Sasaram, it is stated that the order has been complied with by the Executive Officer, Nagar Parishad, Sasaram by taking steps in the matter and after obtaining the report from the Amin by order dated 09.07.2014 the direction was issued to remove the encroachment by 22.07.2014.

Learned counsel for opposite party No.6 submits that the order has been passed without hearing the opposite party No.6.

This Court is not concerned with the legality or otherwise of the order. If the opposite party No.6 is aggrieved by the said order, he may assail it before the appropriate forum.

It is further submitted in the show cause that by letter dated 31.12.2015, the direction was issued to the Sub-divisional Officer, Sasaram for removal of the encroachment in question.

Learned counsel for the Nagar Parishad, Sasaram submits that he has received instructions through letter dated 25.10.2016 of the Executive Officer, Nagar Parishad, Sasaram that the encroachment in question has been removed.

In the aforesaid view of the matter, there does not appear to be any disobedience of the order under contempt dated



16.07.2013.

The contempt application is, accordingly, dismissed.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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