

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2870 of 2015

In

Civil Writ Jurisdiction Case No. 14105 of 2012

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1. Sk. Sadique Son of Late Sabil.
 2. SK. Mosim Son of Late Sk. Insan Both are resident of Village-Mednipur, P.S.- Manihari, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Lalan Jee, The Collector, Katihar.
3. Mr. Zafar Rasib, The Additional Collector, Katihar.
4. Mr. Dinesh Prasad Mandal, The Dy. Collector Land Reforms Manihari, Katihar.
5. Mr. Chandra Kumar, The Circle Officer, Manjhari, District-Katihar.

.... Opp.Parties.

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad,
Mr. Mukesh Kumar Jha, Advocates.
For the Respondent/s : Mr. Ashutosh Kumar Jha, AC to
GA-11

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**CORAM: HONOURABLE MR. JUSTICE KISHORE
KUMAR MANDAL
ORAL ORDER**

5 28-09-2016 Heard Mr. Bhola Prasad in support of the application which seeks initiation of contempt proceeding against the opposite parties, particularly, the Circle Officer for having wilfully/ deliberately violated/disregarded the order dated 03.08.2012 passed in CWJC No. 14105 of 2012 (Annexure-7). This Court without opining any opinion on the merit of the claim

of the petitioners disposed of the application directing the Circle Officer to consider the application to be filed by the petitioners and pass appropriate order in accordance with law.

Along with the show cause, the complete order sheet of the case no. 38 of 2015-16 is enclosed wherefrom it appears that after hearing on different dates the case was ultimately dismissed on 20.1.2016 on recording reasons therefor.

Mr. Prasad made diverse submissions to assail the correctness of the said order. However, such consideration cannot be made in contempt jurisdiction of the Court. The counsel for the State, on the basis of the statement made in the show cause including the diverse orders passed by the Circle Officer (Annexure-A) has rightly contended that the order of the Court has been complied with although belatedly for which the petitioners to some extent is also responsible. The contempt petition is dismissed.

It shall be open to the petitioners to call in-question the legality of the order passed by the Circle Officer before the appropriate authority/forum in accordance with law

(Kishore Kumar Mandal, J)

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