

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.401 of 2016

In

Civil Writ Jurisdiction Case No. 8394 of 2015

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1. Ismailpur Prakhand Matsya Jivi Sahayog Samiti Limited through its Mantri Chulhaye Singh S/o Kapil Deo Singh Vill - Madhant Tola Post - Roghni Tola PS - Ismailpur Distt - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through Shiv Kumar Yadav, the Officer Incharge (SHO) of PS - Gopalpur, District - Bhagalpur.
2. Sudhin Ram, the then Officer Incharge (SHO) of PS - Gopalpur, District - Bhagalpur.
3. Pankaj Kumar Singh, the Superintendent of Police, Naugachia.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, Adv.

For the Respondent/s : Mr. Harish Kr., G.P.32

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

5 11-05-2016 The contempt application was filed complaining of non compliance of the judgment and order passed in C.W.J.C.No.8394 of 2015 whereby a direction was issued to the Superintendent of Police, Naugachhia, the Station House Officer, Ismailpur and Gopalpur to provide protection to the petitioners in case they are obstructed in enjoying the Jalkars settled in their favour. The petitioner had also enclosed a notice issued by the Station House Officer, Gopalpur at Annexure-4. The attention of the Superintendent of Police being drawn towards the notice at Annexure 4, he has initiated departmental proceedings against the Station House Officer, Gopalpur and Ismailpur as manifest from

paragraphs 6 and 7 of the show cause filed on his behalf. It has also been mentioned that he is always ready to provide protection to the petitioner in case he is obstructed in enjoying the settlement of Jalkar. Since the obligation on the opposite parties to provide protection to the petitioner was conditional upon any request made by the petitioner in this regard, that the counsel for the petitioner was directed to place documents reflecting a request made by the petitioner for protection. A rejoinder has been filed enclosing two requests and none of them do reflect that the petitioner has made any complaint of obstruction by anti social elements.

In the circumstances so discussed, no case for contempt is made out. The contempt application is accordingly disposed of.

Bibhash/-

(Jyoti Saran, J)

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