

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.8 of 2016

In
Civil Writ Jurisdiction Case No. 11026 of 2011

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Radhe Prasad Das Son of Late Sahdeo Das Resident of Village - Daliya
Baunsi, P.S. Baunsi, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Nilesch Dewre Ramchandra, the Collector, Banka.
3. Mr. Avinash Kumar, the Sub Divisional Officer, Sadar, Banka.
4. Mr. Brajesh Kumar, the Circle Officer, Sadar, Banka.
5. Dr. Sudhir Kumar Mahto, The Civil Surgeon-cum-Chief Medical Officer, Banka.
6. Mr. Jitendra Nath, the Incharge, Medical Officer, Referral Hospital, Baunsi, District - Banka.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Shankar Prasad

For the Respondent/s : Mr. A P Singh, SC-15

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 29-06-2016 Both sides present.

The supplementary show-cause on behalf of the O.P.

No. 5 in the light of the order dated 04.05.2016 is filed enclosing therewith the stay petition filed by the Medical Officer as well as the order sheet of the learned Appellate Court from which it appears that the matter is pending consideration before the Court. The counsel for the State has submitted that next date fixed in Title Appeal No. 29 of 2015 is 2nd of July, 2016.

The application alleges willful/deliberate disregard of

the order dated 17.09.2015, passed in C.W.J.C. No. 11026 of 2011, wherein this Court observed that, *“if there is a decree in favour of the petitioner, which has not been appealed against stayed, the respondents are obliged to take appropriate steps for restoring the possession of the petitioner over the subject land.”* The respondent(s) have filed appeal inasmuch as stay petition also appears to have been filed which is pending consideration before the Court.

In that view of the matter, the contempt application deserves to be disposed of. The opposite parties shall take steps in the light of the order passed in the aforesaid writ petition.

The contempt application is disposed of.

(Kishore Kumar Mandal, J)

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