

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.224 of 2016

In
Civil Writ Jurisdiction Case No. 413 of 2014

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Umesh Sharma son of Late Nandlal Sharma resident of village - Bharatpur,
P.O. Paramatina, P.S. Sono, District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar
2. Sr. Dr. Kaushal Kishor
3. Sri Jaikant Paswan, the Superintendant of Police, District Jamui
4. Sri Vijay Kumar, the Sub Divisional Officer, District - Jamui
5. Sri Sanjay Kumar, the D.C.L.R., District Jamui
6. Sri Jairam Prasad, Circle Officer, Block Sono, District - Jamui
7. Sri Kishor Kumar Das, the Thana Prabhari, P.S. Sono., District - Jamui
8. Baijnath Das son of Late Bunid Das resident of village - Bharatpur, P.S.
Sono, District - Jamui
9. Sanjay Das son of Baijnath Das resident of village - Bharatpur, P.S.
Sono, District - Jamui

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Vijay Kumar Mishra, Advocate
For the Respondent/s : Mr. Utsav Kumar, A.C. to G.A.-4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 07-09-2016 Heard the parties.

This application was filed praying for initiation of contempt proceeding against Circle Officer, Block-Sono in the district of Jamui for his alleged willful violation of the order passed in CWJC No. 413 of 2014 whereby this Court while giving liberty to the petitioner to file an appropriate application under the Bihar Public Land Encroachment Act, 1956 had directed the Circle Officer to dispose of the same with opportunity of hearing to the parties. An application having been filed in compliance of



the direction by this Court, a copy of which is enclosed in the main application, it was his complaint that the same has not been disposed of. A show cause was filed enclosing the copy of the order passed by the Circle Officer dated 05.8.2015 recording a finding that the nature of land is not a public land. The proceedings were dropped. The petitioner complained that the order so passed is not in tune with the directions of this Court as present in the order dated 18.2.2015 passed in CWJC No. 413 of 2014. The matter was adjourned and today an additional show cause has been filed enclosing a copy of the order dated 5.9.2016 passed by the Circle Officer, Sono after hearing the parties including the petitioner.

In that view of the matter, no case for contempt is made out. The petitioner if so aggrieved by the order passed by the Circle Officer dated 05.9.2016 placed on record alongwith the additional show cause, would be at liberty to question the same before an appropriate forum by filing an appropriate application, if so advised.

This contempt application is disposed of accordingly.

(Jyoti Saran, J)

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