

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3513 of 2010

- =====
1. Murli Manohar Mishra, son of Late Shiv Nandan Mishra, Resident of Village- Gandhwar, P.S.- Sakari, District- Madhubani
 2. Sunita Devi, W/o- Balram Mishra, Resident of Village- Gandhwar, P.S.- Sakari, Distt- Madhubani

.... Petitioner/s

Versus

1. C.S. Bardhan, The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. Mr. Sanjeev Hansh, the District Magistrate, Madhubani
3. Arun Kumar Jha, the Sub Divisional Officer, Sadar Madhubani
4. Mr. Maheshwar Prasad Chaudhary, the Circle Officer, Rahika Block, Madhubani

.... Respondent/s

=====

Appearance :

For the Petitioner/s :

For the Respondent/s :

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL JUDGMENT

Date: 14-02-2017

The petitioners have alleged non-compliance of the order passed by this Court on 6th of April, 2010 in C.W.J.C. No. 4140 of 2010 whereby, an order passed by the Circle Officer, Rahika, Madhubani in respect of alleged encroachment by the petitioners was set aside.

A reading of the petition does not show that any action has been taken by the Circle Officer regarding removal of encroachment without complying with the procedure of law. What is stated is that the Circle Officer is adamant to demolish the house of the petitioners violating all cannons without following the principles of natural justice.



Since there is no allegation of any action taken by the Circle Officer, there is no grievance in respect of act of demolition undertaken by the Circle Officer without following the due procedure of law. The present petition is based on apprehensions alone and not in respect of any action taken. I do not find that the present Contempt Petition is maintainable.

The Contempt Petition is, thus, disposed of as not maintainable.

(Hemant Gupta, ACJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	17.02.2017
Transmission Date	

