

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2408 of 2010

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Hari Om Kumar son of Sri Dashrath Prasad Singh, resident of Mohalla- Karyanand Nagar, Purani Bazar, P.S. & District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Executive Officer, Municipal Corporation, Lakhisarai.
3. Manoj Kumar son of Arun Kumar Gupta, Purani Bazar, Ward No. 8, P.S. + Distt. Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. SHARAD KUMAR

For the Respondent No.1 : Mr. G.P. Ojha, GA-7

Mr. G. Krishna, AC to GA-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 20-03-2017

The respondent Executive Officer having noticed both, i.e., the petitioner and the respondent no.5, has decided the question of grant of possession to the shop in question vide Annexure-2 dated 17.4.2010 merely because the writ petition of the petitioner has not been considered on merit and no order has been passed for interference. The only direction was issued to the respondent corporation to issue notice to both the parties, i.e. the petitioner and the respondent no.5 and to hear and decide the claim on the basis of the documents available with them. That being so, no case is made out for initiating any action for contempt. If the petitioner has any grievance still subsisting with regard to the manner in which the claim has been decided, the petitioner may re-agitate the matter and



challenge it in accordance with law.

The application is disposed of with the observation indicated hereinabove.

(Rajendra Menon, CJ)

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