

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1666 of 2014

IN

Civil Writ Jurisdiction Case No. 11494 of 1998

- =====
1. Sarad Kumar Singhania Son of Late Raj Kumar Singhania Resident of Mohalla-Sujaganj, P.S.- Kotwali, District- Bhagalpur, at present residing at 119/E, Cerny Street, 1st Floor, Kolkatta- 5
 2. Shiva Kumar Singhania Son of late Babulal Singhania Resident of Mohalla-Sujaganj, P.S.- Kotwali, District- Bhagalpur, at present residing at 119/E, Cerny Street, 1st Floor, Kolkatta- 5

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Munger namely Mr. Narendra Kumar Singh
2. Mr. Pushpesh Kumar, In Charge Deputy Collector, Land Reforms, Haveli Kharagpur, Munger
3. Mr. Mohammad Rashid Alam, Sub Divisional Officer, Haveli Kharagpur, Munger
4. Mr. Ranjan Kumar, Circle Officer, Haveli Kharagpur, Munger
5. Kundan Kumar Yadav Son of Late Rama Nand Yadav Resident of Village-Khajeckhak, P.S.- Haveli Kharagpur, District- Munger
6. Chandan Kumar Yadav Son of Late Rama Nand Yadav Resident of Village-Khajeckhak, P.S.- Haveli Kharagpur, District- Munger

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nand Gopal Mishra

For the Respondent/s : Mr. RAJIV KUMAR SINGH

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 17-10-2017

Inter alia, contending that certain orders passed on 04.02.2000 in CWJC No. 11494 of 1998 having not been complied with this application has been filed for initiating action for contempt.

In CWJC No.11494 of 1998 decided on 04.02.2000 the learned Writ Court had directed appointment of a competent officer having already been appointed for the Division for taking action



under Section 69 of the Bihar Tenancy Act and thereafter the officer to pass necessary order for apportionment of the produce between the land-holders and the *Bataidar*. Inter alia, contending that this order has not been complied with this application was filed.

I find from the records that making similar complaint, MJC NO. 1236 of 2003 was filed by the original petitioner Godawari Devi and after taking note of the fact that an officer has been appointed and certain orders for apportionment has already been passed the contempt application has been disposed of on 08.07.2009.

Now, after death of the original petitioner Godawari Devi, her legal heirs have filed this application and they say that for subsequent orders apportionment has not been done and, therefore, this contempt application.

Supplementary show cause has been filed by the respondents and they say that the order has been complied with and they bring on record orders passed on various dates including on 02.02.2016. From the counter affidavit filed by respondent nos. 1 to 4 it is seen that action has been taken in the matter and in the facts and circumstances of the case this Court is not inclined to initiate any action for contempt. In case the applicants have any grievance still subsists they may ventilate their grievance afresh in accordance



with law by resorting to procedure as may be available to them but
no case is made out for initiating action for contempt.

This application is therefore dismissed.

(Rajendra Menon, CJ)

mrl.

AFR/NAFR	NAFR
CAV DATE	N.A.
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