

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4002 of 2016

IN

Civil Writ Jurisdiction Case No. 7950 of 2016

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Syed Hasan Majeed, Son of Late S.M. Majeed Resident of Majeed Compound, Bagh Kalu Khan, Patna City, P.S.- Khaje Kalawn, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chaitanya Prasad, Son of not known, presently working as Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. Sanjay Kumar Agrawal, Son of not known, presently working as District Magistrate, Patna.
4. Manu Maharaj, Son of not known, presently working as Senior Superintendent of Police, Patna.
5. Abhishek Singh, Son of not known, presently working as Municipal Commissioner, Patna Municipal Corporation, Block-C, Maurya Lok, Patna.
6. Ajay Kumar, Son of not known, presently working as Executive Officer, Patna City Circle, Patna Municipal Corporation, Near Meena Bazar, Gulzarbagh, Patna.
7. Ashok Kumar Khatri @ Ashok Sonar, Son of Late Ram Bhajan Lal Sonar, Resident of Bagh Kalu Khan, P.S.-Khaje Kalawn, District- Patna.
8. Pappu Khatri @ Pappu Sonar, Son of Late Ram Bhajan Lal Sonar, Resident of Bagh Kalu Khan, P.S.-Khaje Kalawn, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravish Chandra, Adv.

For the Respondent/s : Mr. Rakesh Kr. Ambastha, AC to AAG-7

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 16-08-2017

Heard Mr. Ravish Chandra, learned counsel appearing for the petitioners and Mr. Rakesh Kumar Ambastha, learned Assisting Counsel to Additional Advocate General No.7 for the State.

The contempt application has been filed on the alleged failure of the Executive Officer, Patna Municipal Corporation, Patna Sadar to dispose of the grievance of the petitioner in terms of the order passed in CWJC No.7950 of 2016.

A show cause is filed enclosing a copy of the order passed by



the Executive Officer, Patna Municipal Corporation in Encroachment Case No.1668 dated 28.12.2016 to submit that the respondent nos.7 and 8 have themselves removed the encroachment.

The grievance of the petitioner is that although the Executive Officer himself has noted that there are two pillars constructed by the private respondents and even though he submits that only the gate and one pillar has been removed but no step has been taken to remove the second pillar which has been specifically mentioned by the petitioner in paragraph 5 of the rejoinder.

Having heard learned counsel for the parties and considering that the proceeding has been initiated by the Executive Officer for removal of the encroachment caused by the respondents, whatsoever grievance that may yet subsist the attention of the Executive Officer may be drawn by the petitioner, who shall accordingly dispose of the objections so raised in tune with the direction of this Court passed on the writ petition.

The contempt application is disposed of accordingly.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.08.2017
Transmission Date	NA

