

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1555 of 2015

In
Civil Writ Jurisdiction Case No.8456 of 2010

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Raja Ram Singh S/o Late Harihar Rai Resident of Mohalla Saketpuri Main
Road, P.S. Patrakarnagar, District Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sri Abhay Kumar Singh, Collector, Patna.
3. Sri Jitendra Rana, Senior Superintendent of Police, Patna.
4. Sri Jai Singh, Municipal Commissioner, Patna Municipal Corporation, Patna.
5. Sri Amit Kumar, Sub Divisional Officer, Patna.
6. Sri Arun Kumar Singh, Circle Officer, Phulwari, Patna.
7. Sri Ishwar Chandra Vidyasagar, Officer-in-charge, Patrakarnagar Police
Station, Patna.

... .. Respondents

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Appearance :

For the Petitioner :	Mr. Sushil Kumar Jha, Advocate
For the Respondent State:	Mr. Suryadeo Yadav, AAG-IX
	Mr. Nagendra Kumar, AC to AAG-IX
For the Respondent PMC :	Mr. Sanjay Prakash Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

4 30-01-2018 Yet another case in which implementation of the order

dated 14.05.2010 has been carried out only after the personal

presence of all the contemnors. The affidavit establishes the fact

that the encroachment has been removed only a few days before

the present case was taken up for consideration.

It does not reflect well on the district administration that

they will remain unmindful of the judicial directions and the

orders of the highest court of the State and they will show some

kind of compliance as knee jerk reaction.



Since even a certification has been given by the petitioner about the removal of the encroachment, the present contempt application stands disposed off now.

The personal presence of the officers indicated in the previous order stands dispensed with but with a caution that they must ensure that the encroachment do not return and the senior officers like the District Magistrate and the Senior Superintendent of Police, Patna, will keep an eye on the subordinate authorities as well to ensure that the implementation does not remain an eye wash or else the Court will not be indulgent towards them in future. Their personal presence stands dispensed with.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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