

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1790 of 2016

=====

Ram Chandra Sah, son of Late Sundar Sah, resident of Barahpathar, Ward
No. 15, P.S. – Town Thana, District – Samastipur.

.... Petitioner

Versus

1. The State of Bihar
2. Pranav Kumar, D.M. Samastipur.
3. Pranav Kumar, D.M. Samstipur as in Charge of A.D.M. Jan Shikayat
Koshang, Samastipur.
4. K.D. Projjwal, the Sub-Divisional Officer, Samastipur.
5. Sameer Kumar Shard, Circle Officer, Samastipur.
6. Mahendra Pandit, Circle Inspector, Samastipur.

.... Respondents

=====

Appearance :

For the Petitioner/s : Ms. Ranjana Pathak, Advocate

For the Respondent/s : Mr. Kumar Manish, S.C.5

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 23-08-2018

After going through the order dated 27.12.2014

as contained in Annexure-A to the show cause filed on
behalf of the opposite party Nos. 2 & 4, this court finds that
a dispute between the petitioner and the purchasers from the
brother of the petitioner with respect to the land in question
is going on in a proceeding under Section 147 Cr.P.C.

While disposing of the writ application, the
learned writ court has taken note of the submissions on
behalf of the State wherein the court was informed that the
State-respondents have not demolished any portion of the
courtyard. The writ court also noticed that there is internal
feud between the petitioner and other persons and a suit was



also filed in this respect. In the facts of the case the court only directed the Collector, Samastipur to enquire into the matter as to whether the petitioners have encroached public land and whether the respondents have demolished any structure situated on their raiyati land. The enquiry report vide Annexure-A to the show cause shows that the land in question is not a public land but the same is claimed by the purchasers of the brother of the petitioner as 'Rasta' and nothing has been brought on record to show that the respondents have demolished any structure situated on the raiyati land. Since the nature of the land itself is in dispute in 147 Cr.P.C. proceeding, in the opinion of this court, no contempt is made out.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U			
---	--	--	--

