

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.453 of 2016

In

Miscellaneous Jurisdiction Case No. 263 of 2015

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Ajaj Ahmad, Son of Late Abdur Rauf, Permanent Resident of village -
Khairwa, P.O. Bela, P.S. Chauradano, District - East Champaran at Present
Resident of X - 13C, D.D.A. Flats New Ranjeet Nagar, New Delhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Mr. Vayas Ji, Son of not Known, the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
3. Mr. Sashibhushan Tiwary, Son of not Known, the Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
4. Mr. Jitendra Srivastava, Son of not Known, the District Magistrate Motihari District, District East Champaran
5. Mr. Sanjay Kumar, Son of not Known, the Deputy Collector Land Reforms, Raxaul, District East Champaran
6. Mr. Prakash Kumar, Son of not known, the Sub - Divisional officer, Raxaul, District East Champaran
7. Mr. Arvind Kumar Gupta, Son of not known, the Block Development officer, Block - Chauradano, District - East Champaran
8. Mr. Ratan Lal, Son of not known, the Circle officer, Chauradano, Anchal - Chauradano, District East Champaran
9. Mr. Jitendra Rana, Son of not known, the Superintendent of Police, Motihari, District East Champaran
10. Mr. Rakesh Kumar, Son of not known, the Deputy Superintendent of Police, Raxaul, District East Champaran
11. Mr. Dhiraj Kumar, Son of not Known, the Station House officer, Chauradano, Police Station, District East Champaran
12. Sheikh Dhaturi @ Serajul Haque, Son of Late Sheikh Khairati, Resident of village - Khairwa, P.O. Bela, P.S. Chauradano, District - East Champaran
13. Md. Nurul Haque, Son of Late Sheikh Khairati, Resident of village - Khairwa, P.O. Bela, P.S. Chauradano, District - East Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Adv.

For the Respondent/s : Mr. Md. N. Hoda Khan, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

5 14-09-2018

Learned counsel for the State has informed that in final



measurement the Pucca house seems to have encroached 2” only on the public land which has been demarcated, however, considering the fact that there is no other encroachment on the public land at all and the encroachment being alleged is about 2” only which is negligible, this Court is not willing to proceed in the contempt matter.

This application is disposed off, accordingly.

The Opposite Parties shall, however, ensure that in future no encroachment takes place on the public land and in case such encroachments are found to have cropped up after this order, the Opposite Parties may be held liable in contempt proceeding which this petitioner can bring before this Court.

(Rajeev Ranjan Prasad, J)

R.R.Ojha.

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