

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3238 of 2016

In
First Appeal No.165 of 1996

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Md. Muslim S/o Sahabjan Mian, Resident of village and P.O.- Rasulpur
Fateh, P.S.- Goraul, Distt- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar, through , Principal Secretary, Revenue and Land reforms
Deptt. Sri Vivek Kumar Singh
2. Md. Ziauddin son of Abdul Jabbar, Resident of village & P.O.- Rasulpur
Fateh, P.S.- Goraul, District- Vaishali.
3. Basant Lal Sah son of Chalitar Sah, Resident of village & P.O.- Rasulpur
Fateh, P.S.- Goraul, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-08-2018 Heard learned counsel for the petitioner.

The petitioner is looking for initiation of contempt proceeding by virtue of the order dated 18.04.2018 wherein while disposing off the interlocutory application under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure in First Appeal No. 165 of 1996, this Court had observed that status quo in respect of the land shall be maintained.

In the opinion of this Court, if it is a case of violation of the injunction order passed by this Court sitting in its first appellate jurisdiction, the remedy lies to the petitioner in terms of order 39 Rule 2A of the Code of Civil Procedure. This



contempt application cannot proceed and disposed off,
accordingly, with liberty to the petitioner to seek his remedy in
accordance with law.

(Rajeev Ranjan Prasad, J)

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