

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.568 of 2018

In

Civil Writ Jurisdiction Case No. 18834 of 2015

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1. Rajendra Pandit, S/o Late Mathura Pandit.
 2. Mahendra Pandit, S/o Late Mathura Pandit,
 3. Suresh Pandit S/o Late Mathura Pandit
 4. Rajesh Pandit, S/o Late Mathura Pandit, All R/o village - Dhupwatola Ekdewa, P.S. Shivpur Hardiya, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna Sri Anjani Kumar Singh.
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna, Sri Vivek Kumar Singh.
3. The Principal Secretary, Department of Home, Bihar, Patna Sri Amir Sahani.
4. The Director, Land Acquisition, Bihar, Patna, Sri Priteshwar Kumar.
5. The Joint Secretary, Department of Home, Bihar, Patna, Sri Bimlesh Kumar Jha.
6. The Collector, Matihani, Sri Aman Kumar.
7. The Land Acquisition Officer, Motihari, Sri Ajit Kumar.
8. The Union of India through the Ministry of Home Affairs, Govt. of India, through its Secretary, North Block, New Delhi, Mr. Anuj Sharma.
9. The Secretary, Border Management Ministry of Home Affairs, Government of India, North Block, New Delhi, Sri Rajiv Gauba.

.... Opposite Parties

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with

Miscellaneous Jurisdiction Case No.569 of 2018

IN

Civil Writ Jurisdiction Case No. 2789 of 2016

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1. Md. Sarfuddin Ansari @ Sorfuddin Miya, Son of Md. Ali Ansari
 2. Nainuddin Ansari
 3. Kamruddin Ansari, both sons of late Mulazim Ansari
 4. Jitendra Das, son of Dhrub Das
All resident of village Shupwatola Ekdewa, P.S. Shivpur Hardiya,
District - East Champaran

.... Petitioners

Versus

- The State of Bihar through its Chief Secretary, Government of Bihar, Patna Sri Anjani Kumar Singh.
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna, Sri Vivek Kumar Singh.
 3. The Principal Secretary, Department of Home, Bihar, Patna Sri Amir Sahani.
 4. The Director, Land Acquisition, Bihar, Patna, Sri Priteshwar Kumar.
 5. The Joint Secretary, Department of Home, Bihar, Patna, Sri Bimlesh



Kumar Jha.

6. The Collector, Matihani, Sri Aman Kumar.

7. The Land Acquisition Officer, Motihari, Sri Ajit Kumar.

8. The Union of India through the Ministry of Home Affairs, Govt. of India, through its Secretary, North Block, New Delhi, Mr. Anuj Sharma.

9. The Secretary, Border Management Ministry of Home Affairs, Government of India, North Block, New Delhi, Sri Rajiv Gauba.

.... Opposite Parties

with

Miscellaneous Jurisdiction Case No.570 of 2018

IN

Civil Writ Jurisdiction Case No. 18649 of 2015

1. Prabhu Paswan @ Hajara, S/o Kishun Paswan,

2. Pocket Raut, @ Chocket Raut, S/o Late Jag Mohan Raut,

3. Binod Das, S/o Dhanbir Das.

4. Punyadeo Mahto, Son of Late Ganesh Mahto.

5. Bimla Devi, S/o Dharmnath Prasad. All R/o village- Dhupwatola Ekdewa, P.S.- Shivpur Hardiya, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna Sri Anjani Kumar Singh.

2. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna, Sri Vivek Kumar Singh.

3. The Principal Secretary, Department of Home, Bihar, Patna Sri Amir Sahani.

4. The Director, Land Acquisition, Bihar Patna, Sri Priteshwar Kumar.

5. The Joint Secretary, Department of Home, Bihar, Patna, Sri Bimlesh Kumar Jha.

6. The Collector, Matihani, Sri Aman Kumar,

7. The Land Acquisition Officer, Motihari Sri Ajit Kumar.

8. The Union of India through the Ministry of Home Affairs, Govt. of India, through its Secretary, North Block, New Delhi, Mr. Anuj Sharma.

9. The Secretary, Border Management, Ministry of Home Affairs, Government of India, North Block, New Delhi, Sri Rajiv Gauba.

.... Opposite Parties

Appearance :

(In MJC No.568 of 2018)

For the Petitioner/s : Mrs. Mallika Mazumdar, Adv.

For Union of India : Mr. A.K. Pandey, Adv.

Mr. R. K. Sharma, C.G.C.

For the State : Mr. Fakhruddin Ali Ahmad, A.C. to AAG-12

(In MJC No.569 of 2018)

For the Petitioner/s : Mrs. Mallika Mazumdar, Adv.

For Union of India : Mr. Anjani Kumar Sharan, A.S.G.

For the State : Mr. Fakhruddin Ali Ahmad, A.C. to AAG-12



For the Petitioner/s : Mrs. Mallika Mazumdar, Adv.
For Union of India : Mr. Anjani Kumar Sharan, A.S.G.
For the State : Mr. Fakhruddin Ali Ahmad, A.C. to AAG12

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER**

3 03-10-2018 All the above stated petitions have been filed due to non-compliance of order dated 15.03.2017 passed in C.W.J.C. No. 18649 of 2015 and analogous cases by which this court directed the Land Acquisition Officer, Motihari (opposite party no. 7 to these petitions) to dispose of the representations of the petitioners in accordance with law within six weeks from the date of receipt of the aforesaid order.

Show-cause has been filed on behalf of opposite party nos. 6 and 7 and Annexure-A has been annexed with show-cause.

Learned counsel appearing for opposite parties no. 6 and 7 submits that Annexure-A to the show-cause shows that the order of this court has already been complied with.

Learned counsel appearing for the petitioners submits that the order of this court has not been complied with by the opposite party no. 7 in its letter and spirit and as a matter of fact, the opposite party no. 7 has not given cogent reasons for rejecting the representations of the petitioners but I am not, at all, convinced with the submission of learned counsel of the petitioners because



this court has only given direction to opposite party no. 7 for disposal of the representations of the petitioners and Annexure-A to the show-cause goes to show that the representations of the petitioners have already been disposed of.

Accordingly, these contempt petitions stand dismissed. However, it is made clear that if petitioners are aggrieved by Annexure-A i.e. order dated 31.03.2017 passed by opposite party no. 7 on the representations of the petitioners, the petitioners may challenge the aforesaid order before the appropriate forum in accordance with law and if petitioners do so, this order shall not cause any prejudice to the claims of the petitioners.

(Hemant Kumar Srivastava, J)

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