

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4808 of 2018

In
Civil Writ Jurisdiction Case No.13427 of 2018

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Bimlesh Kumar, Son of Mundrika Singh, Resident of village - Cheya, P.O.-
Riwala, P.S.- Atri, District - Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through The Chief Secretary, Government Of Bihar,
Patna
2. The Commissioner , Magadh Range, Gaya.
3. the District Magistrate, Gaya
4. The Sub-Divisional Officer, Atri ,Gaya.
5. The Deputy Collector, Land Reforms, Atri, Gaya.
6. the Circle Officer Block - Mohra, District - Gaya.
7. Niranjn Singh son of Late Ram Sagar Singh, resident of village- Cheya,
P.O.- Riwala, P.S.-Atri, District - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Niranjn Kumar Singh, Advocate
		Mrs. Sunita Prasad, Advocate
For the Opposite Party/s :		Mr.Md. Khurshid Alam Aag 12

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

- 3 17-04-2019 The present application has been filed for initiating a proceeding of contempt for willful and deliberate non-compliance of order dated 16.07.2018 passed in C.W.J.C. No. 13427 of 2018, whereby the opposite party no. 6, the Circle Officer, Mohra was directed to examine the revenue records, and if need be, conduct spot verification of the road/land in question, whereupon, if it appears to him that the public road/land has been encroached upon appertaining to Thana No.



265, Khata No. 179, Plot Nos. 1096 and 1236, situated at Village Cheya, Block Mohra, District – Gaya then he will initiate a proceeding under the Act forthwith, if it has already not been initiated till date, and will take such proceeding to its logical conclusion within a period of four months, after giving due opportunity of hearing to all affected persons including the petitioner and Private Respondent No. 7, in accordance with the provisions of the Bihar Public Land Encroachment Act, 1956.

Show cause has been filed on behalf of O.P. No. 6, Circle Officer, Mohra with specific statement in paragraph no. 9 to the effect that a proper proceeding being Encroachment Case No. 01 of 2018-19 was initiated wherein the final order has been passed on 23.11.2018 and the said order has been challenged by private O.P. No. 7 before the District Magistrate, Gaya, statement to that effect has been made in paragraph no. 10 of the show cause.

It is submitted by learned counsel for the petitioner that he is not aware about the order being passed, moreover, the petitioner has not been noticed in the encroachment proceeding.

In view of the fact that the final order has been passed in the encroachment proceeding, statement to that effect has been made in paragraph no. 9 of the show cause, and the said



order has been challenged before the District Magistrate, Gaya
by private O.P. No. 7, there is no need of proceeding any further.
Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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