

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1255 of 2019

In
Civil Writ Jurisdiction Case No.13966 of 2018

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1. Nirbhay Kumar Son of Shri Dharmpal Rai
 2. Dayanand Rai Son of Late Sukul Rai
Both R/o Village-Bishambharpur, P.S.-Bihta, District-Patna

... .. Petitioner/s

Versus

1. Deepak Kumar, Principle Secretary Panchayati Raj
2. Kumar Ravi Collector, Patna
3. Amitabh Kumar Das S.D.O. Danapur
4. Sunil Kumar Verma Circle Officer, Bihta Block
5. Lal Das Ram Son of not known
6. Santosh Kumar Son of Lal Das Ram
Both R/o Village-Bishambharpur, P.S. Bihta, District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate

For the Opposite Party/s : Mr. Pushkar Narain Shahi (Aag6)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-08-2019 Heard learned counsel for the applicants.

We find from the order passed by the Division Bench dated 26th of July, 2018 that an order of status quo has been passed with regard to the area of pond and further constructions have been restrained.

The grievance of the applicants is that the authorities have not filed their affidavit and instead have undertaken an



encroachment proceeding which amounts to disobedience of the directions of the Court.

There is no allegation with regard to the disturbing the status quo of the land. In such a situation, we find no substance in the instant contempt application. In the event, counter affidavit has not been filed, it is open to the applicants to bring it to the notice of the Division Bench concerned which is hearing the said matter.

The contempt application is consigned to records at this stage.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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