

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4377 of 2016

In
Civil Writ Jurisdiction Case No.12059 of 2013

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1. Baidya Nath Jha S/O Late Buchachi Jha
 2. Sushil Jha S/O Late Laideo Jha
Both residents of village-Balani Mehath, P.S- Bhairav Asthan, District-Darbhangha

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Hemant Lal Das, Circle Officer , Jhanjharpur, Block, District-Madhubani
3. Dhiraj Kumar Singh, Sub-Inspector of Police, Bhairav Asthan Police Station, District-Madhubani.
4. Mahadeo Paswan, Chowkidar of Village -Basanti Mehath P.S. Bhairav, District-Madhubani
5. Baleshwar Jha, S/O Kapileshwar Jha, resident Of village Balani Mehath, P.S.- District-Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durga Nand Jha
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 06-03-2019 Heard learned counsel for the parties.

The petitioner has filed this contempt application for violation of the order dated 26.6.2014 passed in C.W.J.C. No. 12059 of 2013 in which the Court has recorded as follows:-

“Learned counsel for the petitioners submits that the land appertaining to Khata No. 457, Kheshra No. 860, measuring an area of 1 Bigha 8 Kathas 13 Dhurs has been recorded as Gairmajarua Khash land. A proceeding under Section 4H of the Bihar Land Reforms Act was



initiated and there is recommendation to declare the same as Sairat land but the same is pending before D.C.L.R. and till today no final order has been passed.”

Learned counsel for the State has filed its show-cause and submitted that no one has been allowed till date for fishing and other side has also submitted that before the order dated 26.6.2014, the D.C.L.R. has already passed the final order.

This Court is not going into that controversy as the matter is still pending for consideration. It has only come for consideration for violation of the order dated 26.6.2014.

In view of the statement made at Bar by the State, there is no need to proceed further and the matter is consigned but, in future, if this order is violated, the petitioner will be at liberty to approach this Court.

(Shivaji Pandey, J)

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