

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3772 of 2017

In
Civil Writ Jurisdiction Case No.1675 of 2017

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Most. Malti Devi, W/o Late Ram Chandra Sah, Resident of Village-and P.O.-
Parsa, Rai Tola, P.S.- Majhauria, District- West Champaran Bettiah.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mr. Anjani Kumar Singh, the Chief Secretary, Govt. of Bihar, Patna.
3. Mr. Anupam Kumar Suman, the Joint Secretary Government of Bihar, Patna.
4. The District Magistrate, namely Mr. Nilesh Ram Chandra Deora, West Champaran Bettiah.
5. The Sub Divisional Officer, namely Sunil Kumar Bettiah, West Champaran, Bettiah.
6. Mr. Pravin Kumar Sharma, the Circle Officer, Majhauria, West Champaran Bettiah.
7. Mr. Santosh the Anchal Amin Majhauria, P.S. Majhauria, District West Champaran, Bettiah.
8. Bhikhari Sahi, S/o Late Nathuni Sah, Resident of Village Parsa, P.S.- Majhauria, District- West Champaran Bettiah.
9. Laxmi Sah, S/o Late Harbansh Sah, R/o Village- Parsa, P.S.- Majhauria, District- West Champaran, Bihar.
10. Sanjay Bhagat, S/o Shambhu Bhagat, R/o Village- Parsa, P.S.- Majhauria, District- West Champaran, Bettiah.
11. Jot Narayan Singh, R/o Village- Parsa, P.S.- Majhauria, District- West Champaran, Bettiah.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s : Mr.Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 19-09-2019 None appears on behalf of the petitioner. However,

learned AC to AAG-12 is present.

The present miscellaneous jurisdiction application has

been filed for willful and deliberate violation of the order dated



05.07.2017, passed by this Court in CWJC No.1675 of 2017, whereby, respondent no.6, the Circle Officer, Majhauria, was directed to initiate a proceeding under the provisions of the Bihar Public Land Encroachment Act, 1956, if encroachment is found over the public land and the Circle Officer was supposed to take such proceeding to its logical conclusion within a period of four weeks, on its initiation, after giving due opportunity of hearing to all the affected persons, in accordance with the Act.

A show cause, dated 26.03.2019, has been filed on behalf of the opposite party nos. 4 to 6 stipulating therein that Encroachment Case No. 5 of 2015-16 has been concluded. In the said show cause, at paragraph no.7, it has specifically been mentioned that encroachment has been removed from the land in question and the petitioner has himself acknowledged the said fact in writing. The relevant paragraph no. 7 of the show cause reads as under :-

“7. That in compliance of the order dated 05.07.2017 passed in CWJC No.1675 of 2017 dated 12.03.2019 encroachment has been removed by the respondent authority from the land in question in presence of the petitioner and



the petitioner has satisfied and gave in writing that the encroachment has been removed and no dispute for rasta.”

In view of the aforesaid, there is no need to proceed any further with the contempt proceeding.

Accordingly, the present miscellaneous jurisdiction application stands disposed of.

(Dinesh Kumar Singh, J)

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