

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 4241 of 2016

Arising out of

Civil Writ Jurisdiction Case No. 655 of 2016

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Chandrika Singh, Son of Late Ambika Singh, Resident of Village- Vijaypura,
P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Sanjay Agrawal, the District Magistrate, Patna.
3. Kumari Anukampa, Circle Officer, Dhanarua, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arbind Kumar Singh and Ms. Prativa Kumari, Advocates
For the State	:	Mr. Arun Kumar Bhagat, AC to AAG 12

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 23-07-2019

Heard learned counsel for the petitioner and learned AC
to AAG 12 for the State.

2. The petitioner has alleged non compliance of the
order dated 09.03.2016 passed in CWJC No. 655 of 2016.

3. By the said order, a direction was given to the Anchal
Adhikari to bring the Encroachment Case No. 2/10-11 to its
logical conclusion in accordance with law within a period of three
months. In the show cause filed on behalf of opposite parties no. 2
and 3, it has been stated that the encroachment has been removed.
Copy of the show cause was served on learned counsel for the



petitioner on 08.08.2017. Today, learned counsel for the petitioner submitted that the encroachment has again come up.

4. In view of there being no rejoinder to the show cause, the Court cannot accept the submissions on fact made orally by learned counsel before the Court today. Facts have to be pleaded. Thus, in absence of there being any rejoinder to the claim of the authorities on oath that the encroachment has been removed, the Court does not find that the authorities have committed any contempt.

5. Accordingly, the application stands disposed off.

6. However, it shall be open to the petitioner to move before the appropriate authorities, in accordance with law, for any grievance he may have with regard to the encroachments coming up again.

(Ahsanuddin Amanullah, J.)

P. Kumar

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