

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1969 of 2018

In
Civil Writ Jurisdiction Case No.17324 of 2016

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1. The Bauram Gram Vikash Samiti, Darbhanga Through Its Secretary Irfan Ahmad and Anr Resident of village - Bauram, P.S. Jamalpur, District - Darbhanga.
 2. Irfan Ahmad, Son of Md. Abbas, Resident of village - Bauram, P.S. Jamalpur, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Dr. Chandra Shekhar Singh, the District Magistrate, Darbhanga.
3. Ram Dular Ram, the Land Reform Deputy Collector, Biraul, Darbhanga.
4. Md. Safik, the Sub - Divisional Officer, Biraul, Darbhanga.
5. Md. Shah Alam, the Circle officer, Gaura Bauram Anchal, Darbhanga.
6. Md. Irtiza, Son of Late Sabul,
7. Md. Azizul, Son of Late Mallu,
8. Zakir Ansari Son of Late Sabdul Ansari,
9. Mansoor Shah, Son of Idrish Shah,
10. Suleman Shah Telor,
11. Mohiuddin Rain, Both Sons of Nathuni Rain.
12. Md. Musafir, Son of Late Imamuddin,
13. Md. Sajjad, Son of Late Habibullah,
14. Zakir Hussain, Son of Khuda Baksh ,
15. Md. Ayub, Son of Late Kamaluddin,
16. Abdul Haiz, Son of Late Adbul Jalil,
17. Abdul Kudus,
18. Md. Sabir
19. Md. Jahir
20. Md. Nazir, All Sons of Abdul Gafoor .
21. Md. Abdullah, Son of Late Md. Maqbool,
22. Hafjur Rahman, Son of Late Abul Hasan,
23. Noorullah Shah,
24. Sanaullah Shan, Both Sons of Yusuf Shah,
25. Md. Haroon, Son of Khuda Baksh,
26. Md. Salim Rain, Son of Nathu Rain,



27. Md. Nayeem Akhtar, Son of Late Md. Ashfak,
28. Md. Idrish,
29. Rasul Baksh, Both Sons of Late Ramjani,
30. Bauku, Son of Khalia,
31. Lalo Rain
32. Safik Rain, Both Sons of Kari Rain,
33. Abbas Shah, Son of Ganaur Shah,
34. Gulabuddin, Son of Yasin, Sl. No. 6 to 34 all residents of village - Bauram, P.S. Jamalpur, District - Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Adv.
For the Opposite Party/s : Mr.Md. Khurshid Alam - Aag 12

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 07-01-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

This application has been preferred praying inter alia
for the following relief/s:

“For initiating a contempt proceeding against
the contemnors opposite party nos.2 to 5 and to award
them suitable punishment for their willful and deliberate
violation of the order dated 29.03.2017 passed in C.W.J.C.
No. 17324 of 2016 by which this Hon’ble Court observed
that accordingly on the petitioners producing certified
copy of this order before O.P. No.2, the District
Magistrate, Darbhanga will entrust the matter to the
concerned Circle Officer who can take action as are
permissible. The concerned officer shall remove



encroachment after following the due process of law and granting opportunity of hearing to opposite party nos.6 to 34 and after hearing them, take such steps for removal of the encroachment and the entire process shall be completed within a period of six months.”

It cannot be said that the respondents have not taken any action, much less that their act is contumacious in any manner. Now show cause notices have been issued to the alleged encroachers and we only hope and expect that the proceedings shall be concluded in accordance with law within a period of six months.

The application is disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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