

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3153 of 2016

In
Civil Writ Jurisdiction Case No.15657 of 2016

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1. Shri Umesh Prasad Singh
 2. Shri Naresh Prasad Singh
 3. Shri Ram Prawesh Singh
 4. Shri Ajay Dipu Kumar
 5. Shri Om Prakash All are S/o Late Ram Babu Singh resident of Mohalla-
Makhdumpur, P.S.- Digha, P.O.- Digha Ghat, District- Patna.

... .. Petitioner/s

Versus

1. Mr. Vyas Ji, S/o not known to the petitioner, the Commissioner, Department
of Land Revenue Reforms, Govt. of Bihar, Patna.
2. Mr. Sanjay Agrawal, S/o not known to the petitioner, the District Magistrate,
Patna.
3. Mr. Kapileshwar Mishra, S/o Late P. Sharma, the Additional Collector,
Patna, resident of Village- Brahmpura, P.O.
4. Navyug Engineering Company Ltd., Flat No.- 174, Patliputra Colony, P.O.-
Sadaquat Ashram, P.S.- Patliputra, District-Patna.
5. The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shri Prakash Srivastava Mr. Santosh Bharti Ms. Appurva Jyoti
For the Opposite Party/s :		Mr.Sanjay Kumar Giri GP9

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-02-2020 Heard both sides.

The petitioners filed this petition for initiation of a contempt proceeding against the opposite parties for disobeying and disregarding the order dated 13.05.2016. This Court by order dated 13.05.2016, on the basis of the averment made by the State of Bihar, stated that no notification and declaration



under Sections 4 and 6 of Land Acquisition Act, 1894 have been issued for acquisition of land for construction of Marine Drive commonly known as Jai Prakash Path. Petitioners filed M.J.C. No.1110 of 2017 in which this Court directed for measurement of the land. The report showed that on the land of the petitioners, Jai Prakash Path was constructed. It is submitted that on the basis of the report it has become crystal clear that the opposite parties have filed false affidavit misleading the court that no notification either under Section 4 or under Section 6 of the Land Acquisition Act, 1894 was issued for acquisition of the land of the petitioners of M.J.C. No.1110 of 2017. Learned counsel for the petitioners admits this fact that no notification under Section 4 or 6 of the Land Acquisition Act was issued for acquisition of the land of the petitioners but road was constructed on the land of the petitioners, therefore, I find that no case is made out to proceed against the opposite parties for disobeying and disregarding any order of this Court.

Accordingly, this contempt petition is dismissed with liberty to the petitioners to file appropriate case, if so advised, for redressal of their grievance.

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(Prabhat Kumar Jha, J)

