

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2694 of 2018

In
Civil Writ Jurisdiction Case No.14278 of 2015

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Mahendra Prasad Singh S/o Late Bishwa Nath Singh, R/o Vill.- Surihari,
Tola- Bhattichak, P.S.- Amarpur, District- Banka.

... .. Petitioner.

Versus

1. The State of Bihar.
2. Mr. Ram Suresh Rai, the District Magistrate, Bhagalpur.
3. Mr. Kundan Kumar, the District Magistrate, Banka.
4. Mr. Ramesh Kr. Sinha the Circle Officer, Amarpur Anchal, District- Banka.

... .. Opposite Parties.

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Appearance :

For the Petitioner : Mr. Dharendra Nath Jha, Advocate.
For the State : Mr. Md. Khurshid Alam , AAG-12.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 26-09-2023 The present M.J.C. petition is filed for non-compliance of the order of this Court dated 19.09.2016 passed in C.W.J.C. No.14278 of 2015.

2. The concerned respondents have complied the order of this Court on 21.09.2023. The concerned respondents have no regards to this Court's order for the reasons that initially they have taken two years time to comply. Thereafter, illegal encroachers once again encroached the subject matter of land. For removal of second time encroachments on the same property, the official respondents have taken five years. These



material reveal that there was some collusion among the officials and the encroachers. In other words, indirectly, the officials seem to be supporting the encroachers which is deprecated.

3. Even today, learned counsel for the petitioner speculates that once again the encroachers are likely to re-encroach illegally. In this regard, necessary steps are required to be taken by the concerned officials while taking very harsh view against such of those encroachers.

4. In view of these developments, we drop the M.J.C./Contempt Petition reserving liberty to the petitioner to file an interlocutory application for revival of the present order in the event of any further encroaching the subject land.

5. Copy of this order shall be sent to the Chief Secretary for appropriate action against the officials who are all responsible in delaying the process of removal of illegal encroachments.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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