

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.177 of 2020

In
Civil Writ Jurisdiction Case No.9223 of 2019

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Kaushalendra Kumar @ Koushlendra Kumar Son of Late Ashudev Sharma,
resident of village and Post- Bandhuganj, P.s.- Modanganj, District-
Jehanabad. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna namely
 2. The District Magistrate, Jehanabad namely Mr. Naveen Kumar
 3. The Superintendent of Police, Jehanabad namely Sri Manish Kumar
 4. The Sub Divisional Officer, Jehanabad namely Sri Nivedita Kumari
 5. The Circle Officer, Modanganj, District- Jehanabad namely Sri Sanjeev Kumar.
 6. The Station Head Officer (S.H.O.) Ghoshi, District- Jehanabad namely
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate.
For the Opposite Party/s : Mr.Sajid Salim Khan (Sc 25)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 26-06-2023 Heard the parties.

Pursuant to the last order dated 19.06.2023 a show-
cause has been filed on behalf of the Circle Officer, Modanganj,
Jehanabad.

As per the show-cause, although earlier the
encroachment proceeding was initiated and certain
encroachment was removed, on inspection it has been found that
fresh encroachment has taken place and as such vide memo
no.1072 dated 15.06.2023 the encroachers have been put on
notice and further the matter will be taken to its logical



conclusion at an earliest.

Learned State counsel has further submitted with the support of Annexure-A that the petitioner who is agitating the entire matter and has preferred the contempt petition (petitioner herein), has himself encroached the land and was put on notice earlier.

The stand of the petitioner who himself is an encroacher is deprecated. Being himself an encroacher he wants contempt proceeding against the officials who have failed to remove the entire encroachment.

Having observed the aforesaid facts, the Circle Officer, Modanganj, Jehanabad is directed to expedite the encroachment proceeding and take the same to its logical conclusion.

Once the proceeding comes to an end, he will be duty bound to remove the encroachment within a period of next three months from the passing of the order.

The contempt petition stands disposed of with the aforesaid observations.

(Rajiv Roy, J)

Prakash Narayan /-

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