

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.245 of 2022

In
Civil Writ Jurisdiction Case No.11611 of 2021

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Ajay Kumar, aged about 61 years, Male Son of Late Hari Narayan Prasad, at present resident of Renuka Kutir, Flat No. 301, Alkapuri Road No.17, Gardanibagh, Police Station- Gardanibagh, Patna- 800001. Permanent Resident of Pataura Tola, Pataura Tola Lala, Police Station- Motihari, P.O. Pataura, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Vivek Kumar Singh, the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. Sri Shirsat Kapil Ashok, the Collector-cum-District Magistrate, East Champaran.
3. Sri Sivaji Singh, the Circle Officer, Sadar Anchal, Motihari, East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate
For the Opposite Party/s : Mr. Sajid Salim Khan, SC 25

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 07-12-2023

The present MJC is filed for non-compliance of the order dated 02.08.2021 passed in CWJC No. 11611 of 2021. Grievance of the petitioner is in respect of certain encroachment of lands. In this regard a co-ordinate Bench proceeded to decide the aforementioned writ petition while directing the petitioner to submit representation within a period of four weeks from 02.08.2021. Accordingly, the petitioner had submitted



representation on 23.08.2021. Thereafter the concerned authority was directed to decide the petitioner's representation within a period of three months from the date of filing and further it was directed to pass a detailed reasoned and speaking order after giving opportunity of hearing / observing the principles of natural justice.

2. Certain decisions have been taken to the extent that there were encroachment of land on 16.01.2023. Thereafter, notices were issued to the concerned parties, after lapse of about 9 months. Even to this day there is no finality. It is a clear case of Contempt of Court.

3. Having regard to the fact that certain quasi judicial functions are involved in the present lis. We hope entire proceedings would be completed within a period of three months from the date of receipt of this order, failing which the petitioner is at liberty to file Interlocutory Application to revive this order after three months.

4. The present MJC stands disposed of while imposing fine on the official respondents in view of the fact that they are not complying the orders of this Court within the time limit stipulated. In other words the order dated 02.08.2021 was required to be complied on or before 22.12.2021, however, even to this stage there is partial compliance. Fine of a sum of Rs. 20,000/- (twenty



thousand) is imposed. Fine shall be paid to the petitioner within a period of four weeks from today.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	08.12.2023
Transmission Date	

