

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.834 of 2021

In
Civil Writ Jurisdiction Case No.20618 of 2018

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Niraj Kumar Ravi @ Nijay Kumar Ravi @ Niraj Kr. Ravi S/o Late Motilal
R/o Takiapar, Kayastha Toli, Danapur, P.O.- Digha, P.S.- Danapur, District-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. Sri Deepak Kumar, IAS, Chief Secretary, Govt. of Bihar, Patna.
3. Sri Vivek Kumar Singh, IAS, Principal Secretary-cum-Additional Principal Secretary, Deptt., of Revenue and Land Reforms, Govt. of Bihar, Patna.
4. Sri Anand Kishore, I.A.S., Principal Secretary, Deptt. of Urban Development, Govt. of Bihar, Patna.
5. Sri S.K. Singhal, IPS, Director General of Police, Bihar, Patna.
6. Sri Sanjay Kumar Aggarwal, IAS, the Commissioner, Patna Division, Patna.
7. Sri Sanjay Singh, IPS, IG and In-charge DIG of Police, Central Range, Patna.
8. Sri Kumar Ravi, IAS, the Collector-cum-District Magistrate, Patna.
9. Sri Upendra Sharma, IPS, Senior Superintendent of Police, Patna.
10. Sri Vinod Duhan, IAS, the Sub-Divisional Officer, Danapur, Patna.
11. Sri Vineet Kumar, IPS, Additional Superintendent of Police, Danapur, Patna.
12. Sri Vidyanand Rai, The Circle Officer, Anchal Adhikari, Danapur, Patna.
13. Sri Sanjeev Kumar, The Executive Officer, Danapur, Nagar Parishad, Nizamat, Danapur, Patna.
14. Sri Ajit Kumar Shah, Officer-in-charge, Danapur, Police Station, Danapur.
15. Sri Mahesh Rai S/o Late Rajballabh Rai R/o Road No.-9, Chitrakut Nagar, Danapur, PS- Danapur, District- Patna.
16. Smt. Shweta Kumari C/o Sri Om Prakash Gupta, R/o Near the House of Sri Narendra Kumar, Gola Road, Ramjai Pal Nagar, Danapur Dantt, PS- Danapur, Patna- 801503.
17. Naresh Prasad S/o Late Ramnath Das R/o Chitrakut Nagar, PO- Digha, PS- Danapur, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Chetan Kumar, Advocate Mr. Pramod Kr. Sinha, Advocate
For the Opposite Party/s	:	Mr. Khurshid Alam, AAG 12 Mr. S.K. Dwivedi, AC to AAG 12
For respondent No. 13	:	Mr. Sunil Kumar, Advocate



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

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

5 12-10-2023 The present M.J.C./contempt petition is filed for non-compliance of the order dated 06.01.2020 passed in C.W.J.C. No. 20618 of 2018. On the previous occasion, following order was passed:

“The Circle Officer, Danapur, namely, Mr. Amri Rajbandhu is present in the Court. He has to file his personal affidavit explaining what are the action taken by him from the date of assumption of his charge on the post of Circle Officer i.e. in the month of October, 2021 till 27.09.2023. The date on which alleged to have initiated encroachment case.

2. If the explanation is not furnished properly with reference to documents like Issue Register, which is stated to have been maintained in his office, if those records are not furnished and apprised this Court that there is genuineness in delay in initiation of encroachment belatedly or not. If there is a inaction on the part of the Circle Officer, we feel that it is a case for initiation of contempt proceedings framing charge.

3. Relist this matter on 12.10.2023.

4. The Circle Officer shall be present in the Court on the next date of hearing.”

2. Today learned counsel for the respondents pointed out in terms of Annexure - B to the first show cause dated



07.08.2021, the then Circle Officer, Danapur, District – Patna formed an opinion that there is no encroachment. Thereafter, petitioner insisted to the extent that there were certain encroachments. Further, the present Circle Officer examined later development which has been pointed out by the petitioner, he is of the opinion that there were certain encroachments. In the result, he has initiated encroachment case on 25.09.2023. Therefore, we proceed to drop the contempt proceedings reserving liberty to the petitioner to file interlocutory application and revive this order if the encroachment case is not decided within a period of six months from today.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

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