

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1189 of 2020

In
Civil Writ Jurisdiction Case No.20497 of 2018

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1. Kamal Deo Singh @ Kamaldeo Bhardwaj Son of Sri Deo Kumar Prasad Resident of Village-Machhariyawan, Police Station-Fatuha, District-Patna.
 2. Neeraj Kumar Son of Late Braj Nandan Prasad. Resident of Village-Machhariyawan, Police Station-Fatuha, District-Patna.
 3. Most Dewiya Devi Wife of Late Surendra Paswan Resident of Village-Machhariyawan, Police Station-Fatuha, District-Patna.
 4. Rajaram Paswan Son of Late Chhotan Paswan Resident of Village-Machhariyawan, Police Station-Fatuha, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Deepak Kumar, The Chief Secretary, Government of Bihar, Secretariat, Patna.
2. Sri Kumar Ravi District Magistrate-Cum-Collector, Patna.
3. Sri Rakesh Raughan, Sub-Divisional Magistrate, Patna City, Patna.
4. Sri Akhilesh Kumar, Deputy Collector, Land and Reforms, Patna City, Patna.
5. Sri Upendra Kumar Sharma, Senior Superintendent of Police, Patna.
6. Sri Kantesh Mishra, Superintendent of Police, Rural, Patna.
7. Sri Ajay Raj Circle Officer, Daniyawan, Patna.
8. Sri Manish Kumar Officer-in-Charge, Fatuha Police Station, Patna.
9. Sri Hareram Harekrishna, Son of Late Tulsi Narayan Singh Residen tof Village-Machhariyawan, Police Station-Fatuha, District-Patna.
10. Sri Munna Thakur Son of Not Known Residen tof Village-Machhariyawan, Police Station-Fatuha, District-Patna.
11. Gauri Shankar Son of Sri Hareram Harekrishna Residen tof Village-Machhariyawan, Police Station-Fatuha, District-Patna.
12. Shiv Shankar Son of Sri Hareram Harekrishna Residen tof Village-Machhariyawan, Police Station-Fatuha, District-Patna.
13. Niranjana Kumar Son of Sri Lakshmi Narayan Singh/Mahto. Residen tof Village-Machhariyawan, Police Station-Fatuha, District-Patna.
14. Ashutosh Kumar Son of Sri Ramdeo Ram Residen tof Village-Machhariyawan, Police Station-Fatuha, District-Patna.
15. Santosh Kumar Son of Sri Ramdeo Ram Residen tof Village-Machhariyawan, Police Station-Fatuha, District-Patna.
16. Ramdeo Ram Son of Late Harihar Ram Residen tof Village-Machhariyawan, Police Station-Fatuha, District-Patna.

... .. Opposite Party/s



Appearance :

For the Petitioner/s : Mr. Dinesh Prasad, Advocate
For the Opposite Party/s : Mr. Ajay, GA-V
Mr. Pratik Kumar Sinha, AC to GA-V

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

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

3 18-08-2023 Order dated 04.08.2023 for removing encroachment is taken on record.

2. The present MJC-contempt petition is filed for non-compliance of the order dated 06.01.2020 passed in CWJC No. 20497 of 2018.

3. The grievance of the petitioner is that there were certain encroachment over the land situated at Mauza- Bankipur Machhariyawan, Pargana-Azimabad, Thana No. 27, Tauzi No. 15, Khata No. 137, Khasra No. 851, 1487 under Daniyawan Block, District-Patna. This Court has directed the petitioner to submit representation within a period of four weeks. Thereafter, the concerned authority was required to consider the grievance of the petitioner within a period of three months from the date of receipt of such representation. The petitioner had submitted his representation on 14.01.2020 whereas respondents have taken three years' time to implement the orders of this Court dated 06.01.2020 passed in CWJC No. 20497 of 2018 read with the



petitioner's representation dated 14.01.2020. No reasons have been assigned as to why there has been a delay of about three years, therefore, there is willful disobedience. Consequently, instead of initiating contempt proceedings, we deem it a fit case of imposing cost for the reasons that the official respondents have removed encroachment on 04.08.2023 after filing of the present contempt petition and the fact that they have taken three years' time. Cost penalty is fixed to the extent of Rs. 10,000/- (Ten Thousand). Cost shall be paid to the petitioner within a period of four weeks from the date of receipt of this order.

4. With the aforesaid observations, the proceeding of present MJC-contempt petition stands dropped.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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