

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1298 of 2021

In
Civil Writ Jurisdiction Case No.1470 of 2021

=====

Shiv Shankar Prasad Singh Son of Late Shiv Balak Singh, Resident of Village
Khetalpura, P.S. Asthawa (Sare), District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Shri Yogendra Singh, The Collector, Nalanda.
3. Shri Sunil Kumar, The Circle Officer, Asthawa, District - Nalanda.
4. Sri Manoj Kumar @ Munnu Singh, Son of Late Bhuvaneshwar Singh,
Resident of Village- Khetalpura, P.S. Asthawa (Sare), District - Nalanda.
5. Sri Chunna Kumar, Son of Late Bhuvaneshwar Singh, Resident of Village-
Khetalpura, P.S. Asthawa (Sare), District - Nalanda.
6. Sri Pinku Kumar Son of Late Bhuvaneshwar Singh, Resident of Village-
Khetalpura, P.S. Asthawa (Sare), District - Nalanda.
7. Sri Choti Kumar, Son of Late Bhuvaneshwar Singh, Resident of Village-
Khetalpura, P.S. Asthawa (Sare), District - Nalanda.
8. Sri Chandan Kumar, Son of Late Bhuvaneshwar Singh, Resident of Village-
Khetalpura, P.S. Asthawa (Sare), District - Nalanda.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate
For the Opposite Party/s : Mr. Rishi Raj, SC-19

=====

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

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

5 26-09-2023 The present M.J.C./contempt petition is filed for

non-compliance of the order dated 23.01.2020 passed in

C.W.J.C. No. 1470 of 2020. The only direction is for submission



of representation and thereafter, the concerned authority was required to consider the representation of the petitioner. In this regard, petitioner had submitted representation on 06.02.2020. Thereafter, there was inaction on the part of the concerned authority. Hence, the present M.J.C. for non-compliance of the order dated 23.01.2020.

2. During pendency of the present *lis*, concerned authority has passed a detailed speaking order on 20.08.2023. The concerned authority has taken three years five months in just issuing notice to such of those encroachers. It is evident that officials have slept over the matter in not complying the orders of this Court. Even to this day, it has not attained finality having regard to the fact that respondents have acted on the petitioner's representation in issuing notice to such of those encroachers. Hoping that the concerned officials would comply within a reasonable period of time of six months from today, we are dropping the present M.J.C./contempt petition. However, petitioner is entitled to litigation cost and it is quantified @ Rs. 20,000/- (Rupees Twenty Thousand) for the reasons that official respondents even to this day have not complied and they have taken action only in the month of August, 2023. Cost shall be recovered from the concerned officials who are all responsible.



3. Accordingly, present M.J.C./contempt petition stands dropped. Reserving liberty to file I.A. for revival of this order, in the event of non-compliance of today’s order.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Jyoti/
GAURAV.S/-

U			
---	--	--	--

