

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2375 of 2019

In
Civil Writ Jurisdiction Case No.10222 of 2018

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Mahesh Thakur Son of Damodar Thakur resident of Village- Ramdiri Nakti,
P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Brajesh Melhotra Principal Secretary, Revenue and Land Reforms
Department, Government of Bihar, Patna
3. Sri Rahul Kumar, the Collector, Begusarai
4. Sri Upendra Kumar Anchal Adhikari, Matihani, District-Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Md. Khurshid Alam (Aag12)

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

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

3 19-06-2023 The present MJC is for non-compliance of the order
dated 14.09.2018 passed in C.W.J.C. No. 10222 of 2018.

2. Learned counsel for the petitioner submitted that
for the purpose of deciding Encroachment Case No. 01 of 2009-
2010 two writ petitions were filed. Earlier a direction was given
to dispose of encroachment case within a period of four months.
Similar direction has been given in C.W.J.C. No. 10222 of 2018,
whereas time-limit stipulated is six weeks. In the show cause it
is stated that Encroachment Case No. 01 of 2009-2010 was



decided in the year 2016 itself. It is not disputed that counter affidavit has not been filed in C.W.J.C. No. 10222 of 2018. If the concerned authority had filed counter affidavit and made a false submission insofar as pendency of Encroachment Case No. 01 of 2009-2010 in that event contempt petition would have sustained. On the other hand, counter affidavit was not filed in C.W.J.C. No. 10222 of 2018 and so also in earlier case.

3. In view of these facts and circumstances, the present Contempt Petition (MJC) does not survive for consideration in the light of final order passed in Encroachment Case No. 01 of 2009-2010 in the year 2016 itself.

4. Accordingly, the present MJC stands dropped.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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