

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2402 of 2019
In
Civil Writ Jurisdiction Case No.5434 of 2013

Shivnath Thakur Son of Shinghashan Thakur Resident of Village- Gudara,
P.O- Gudara, P.S- Majhaulia, District- West Champaran.

... .. Petitioner.

Versus

1. The State of Bihar.
2. Shri Nilesh Ramchandra Deore, Son of not known, the District Magistrate,
West Champaran, at Bettiah,
3. Sri Vidyanand Paswan, Son of not known, the Sub Divisional Officer,
Bettiah, District- West Champaran.
4. Shri Praeen Kumar Singh, Son of not known, the Circle Officer, Majhaulia
Circle, District- West Champaran, at Bettiah.
5. Kishore Yadav Son of Indrasan Yadav Resident of Village- Dudara, P.O-
Gudara, P.S- Majhaulia, District- West Champaran.

... .. Opposite Parties.

Appearance :

For the Petitioner : Mr. Birendra Kumar Singh, Advocate.
For the State : Mr. Md. Khurshid Alam (AAG-12).

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

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

6 07-11-2023 Registry is hereby directed to rectify the order no.3
to that of order no.5.

2. The present M.J.C. petition is filed for non-compliance of the order dated 02.11.2018 passed in C.W.J.C. No.5434 of 2013.

3. Perusal of the records, it is stated that certain encroachments alleged to have been removed on 23.01.2019. Thereafter, once again there were encroachments on public land. For removal of further encroachments, the respondents have taken about 4 years and so also complying the orders of this



Court dated 02.11.2018 passed in C.W.J.C. No.5434 of 2013. The official respondents are not taking seriousness of the orders of this Court and also in protecting the public land. In other words, the officials are permitting or allowing the encroachers to encroach the public land and enjoy the same.

4. Taking note of dates and events and the fact that the orders of this Court dated 02.11.2018 passed in C.W.J.C. No.5434 of 2013 has been complied in the month of August, 2023. There is a delay of number of years, despite the fact that this Court had stipulated two months from 02.11.2018, therefore, it is a case for imposition of cost. Cost is quantified at Rs.10,000/- and the same shall be paid to the petitioner since petitioner is agitating for the public cause for more than one decade as is evident from C.W.J.C. No.5434 of 2013. Cost shall be paid to the petitioner within a period of eight weeks from the date of receipt of this order. Accordingly, the present M.J.C./Contempt Petition stands dropped.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

P.S./-

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