

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2570 of 2022

In
Civil Writ Jurisdiction Case No.1304 of 2022

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Md. Shahid @ Md. Shahid Ansari Son of Kamruddin Mia R/o-Village-Khoji
Post-Anti, P.S.-Bandeya (Goh) District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate Collector, Aurangabad Namely-Mr. S. Raj.
3. The Superintendent of Police Aurangabad namely S. Kharare.
4. The Sub- Divisinal Officer Daudnagar, Aurangabad namely-Pritima Kumari
5. The Anchal Adhikari, Goh District-Aurangabad namely-Ravindra Singh
6. The Officer Incharge, Bandeya (Goh), District-Aurangabad namely-Sakal Prasad.
7. Bhuneshwar Sao S/o Late Jogi Sao Resident of Village-Khoji P.S.-Bandeya, District-Aurangabad (Bihar).
8. Akal Sao S/o Late Jogi Sao Resident of Village-Khoji P.S.-Bandeya, District-Aurangabad (Bihar).
9. Laki Sao S/o Late Jogi Sao Resident of Village-Khoji P.S.-Bandeya, District-Aurangabad (Bihar).
10. Brinandan Yadav (Kariman) S/o-Late Kesher Yadav Resident of Village-Khoji P.S.-Bandeya, District-Aurangabad (Bihar).
11. Jainandan Yadav S/o-Late Kesher Yadav Resident of Village-Khoji P.S.-Bandeya, District-Aurangabad (Bihar).
12. Bindeshwar Yadav S/o Late Shaligram Yadav Resident of Village-Khoji P.S.-Bandeya, District-Aurangabad (Bihar).
13. Umesh Yadav S/o-Late Shaligram Yadav Resident of Village-Khoji P.S.-Bandeya, District-Aurangabad (Bihar).
14. Binay Yadav S/o-Khubhalal Yadav Resident of Village-Khoji P.S.-Bandeya, District-Aurangabad (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
For the Opposite Party/s : Mr. Raj Kishore Roy, GP 18

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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 22-06-2023 Heard learned counsels for the respective parties.

2. The present MJC is filed for non-compliance of the order dated 04.02.2022 passed in CWJC No. 1304 of 2022. The petitioner was asked to approach the authority insofar as redressal of their grievance in the writ petition and if such representation is submitted, the competent authority was directed to pass a speaking order. In this backdrop, we have noticed that petitioners had submitted representation on 18.02.2022, the official respondent have initiated encroachment proceedings *vide* Encroachment Case No. 10 of 2022 -23 and it was decided on 03.02.2023.

3. Further, encroachers feeling aggrieved by the encroachment proceedings dated 03.02.2023 preferred appeal before the appellate authority and suffered order in the month of May, 2023.

4. In view of these development, the present MJC – contempt proceedings does not survive for consideration. Accordingly, it is dropped. However, the concerned authority is hereby directed to implement the encroachment proceedings in



accordance with law within a reasonable period of time and
communicate the decision to the petitioner at the earliest.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

GAURAV S./-

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