

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.358 of 2023

In

Civil Writ Jurisdiction Case No.4071 of 2009

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1. Laxman Prasad Mandal son of Late Bhagwat Pd. Mandal, Resident of Village-Baria, P.S.-Tikapatti, Block-Rupauli, District-Purnea.
 2. Sikandar Mandal, Son of Late Bhagwat Pd. Mandal, Resident of Village-Baria, P.S.-Tikapatti, Block-Rupauli, District-Purnea.
 3. Sailendra Mandal, Son Late Bhagwat Pd. Mandal, Resident of Village-Baria, P.S.-Tikapatti, Block-Rupauli, District-Purnea.
 4. Anil Mandal, son of Late Karu Mandal, Resident of Village-Baria, P.S.-Tikapatti, Block-Rupauli, District-Purnea.
 5. Sushil Mandal, son of Late Karu Mandal, Resident of Village-Baria, P.S.-Tikapatti, Block-Rupauli, District-Purnea.
 6. Ganesh Prasad Mandal, son of Late Musaklall Mandal, Resident of Village-Baria, P.S.-Tikapatti, Block-Rupauli, District-Purnea.
 7. Bindeshwari Prasad Mandal, son of Late Musaklall Mandal, Resident of Village-Baria, P.S.-Tikapatti, Block-Rupauli, District-Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar.
2. Sri Suharsha Bhagat, son of not known, District Magistrate-cum-District Collector, Purnea.
3. Sri Parmanand Shah, son of not known, Deputy Collector Land Reforms, Purnea.
4. Sri Rajeev Kumar, son of not known, Sub-Divisional Officer-cum-Deputy Collector, Sub-Division-Dhamadh, District-Purnea.
5. Sri Parshuram Singh, son of not known, Block Development Officer, Block-Rupauli, P.S.-Rupauli, District-Purnea.
6. Sri Rajesh Kumar, son of not known, Circle Officer, Circle-Rupauli, P.S.-Rupauli, District-Purnea.
7. Sri Raj Kumar Prasad, son of not known, Circle Inspector, Circle-Rupauli, P.S.-Rupauli, District-Purnea.
8. Smt. Rajeshwari Devi, Wife of Late Kailash Singh, resident of Village-Bhuwa Deodhi, P.S.-Rupauli, District-Patna.
9. Lochan Rishideo, son of Late Phuso Rishideo, resident of Village-Bhuwa Prawal, P.S.-Rupauli, District-Patna.
10. Munna Rishideo, son of Late Babulal Rishideo, resident of Village-Bhuwa Prawal, P.S.-Rupauli, District-Patna.
11. Prahlad Rishideo, son of Late Mantu Rishideo, resident of Village-Bhuwa Prawal, P.S.-Rupauli, District-Patna.
12. Jhunia Devi, Wife of Babulal Rishideo, resident of Village-Bhuwa Prawal,



P.S.-Rupauli, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit, Advocate

For the Opposite Party/s : Mr. Md. Khurshid Alam (AAG 12)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-02-2024 Heard the parties.

2. The present contempt petition has been preferred for violation of order dated 07.04.2009 by which while issuing notice to the respondents, it was ordered that the petitioners' possession be not disturbed .

3. The case of the petitioner is that the same has been violated.

4. A show cause on behalf of the opposite party nos. 2, 3 and 6 is on record in which in paragraph 4, the following facts have been incorporated:

“That it is pertinent to mention here that subsequently after passing of the order dated 07.04.2009 the status quo is being maintained over the disputed property. Subsequently spot verification was conducted Sub-Divisional Officer, Dhamdaha alongwith Circle Officer, Rupauli and Revenue Officer and report was submitted by the Circle Officer, Rupauli vide letter no. 1319 dated 12.05.2023 alleging



therein that the land is in possession of the petitioner and mustard crop were sown on the land by the petitioner.”

5. The document (Annexure- A series) is also on record which shows that the land is in the possession of the petitioners and Laxman Prasad Mandal has signed the document which has also been counter signed by the Sub-Divisional Officer, Dhamdaha, Circle Officer, Rupauli and the Sub-Divisional Police Officer, Dhamdaha.

6. It is unfortunate that despite being in possession, contempt application has been filed.

7. Be that as it may, since a document is on record showing possession of the petitioners on the land duly signed by the petitioners' family as also the petitioner, Laxman Prasad Mandal, this Court is satisfied that there is no question of contempt.

8. The MJC No. 358 of 2023 stands disposed of.

(Rajiv Roy, J)

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