

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1333 of 2023

In
Civil Writ Jurisdiction Case No.825 of 2020

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Arvind Kumar Singh Son of Hridyanand Singh R/o Village- Barni, P.O and
P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Brijesh Mehrotra, The Addl. Chief Secretary, Dept. of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. Sri Kumar Ravi, The Divisional Commissioner, Patna Division, Patna.
4. Sri Raj Kumar, The District Magistrate, Bhojpur at Ara.
5. Sri Dushyant Kumar, The Deputy Collector of land Reforms, Piro, District- Bhojpur.
6. Sri Sunil Kumar, S.D.O., Piro, District- Bhojpur.
7. Sri Ajay Kumar, The Circle Officer, Charpokhari, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Jee Mishra
For the Opposite Party/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 03-07-2024 The present MJC / contempt application is filed for non-compliance of the order dated 14.01.2020 passed in CWJC No. 825 of 2020. Opposite parties were required to comply the order of this Court within three months with effect from 14.01.2020. There is no application for extension of time / reviewing the order dated 14.01.2020 insofar as stipulating the time limit for compliance.

2. Be that as it may, show cause on behalf of opposite



party Nos. 4 to 7 has been filed along with Annexures - A to K.

In paragraph No. 9 of the show cause, it is stated as under:

“That it is pertinent to state here that, though, the order dated 30.12.2023 and order dated 09.01.2024 have been passed, however, the encroachers have not removed the encroachment on their own, The office of the Circle Officer, Charpokhari could not remove the encroachment due to his engagements in Lok Sabha Election, 2024. He shall remove the encroachment before 31st July, 2024.”

3. In the light of aforementioned undertaking on behalf of *Chandan Choudhary*, Circle Officer, Charpokhari, Bhojpur, the same is taken note of and we proceed to drop the present MJC / contempt application. On account of delay, respondents are hereby directed to pay a cost of Rs. 5,000/- (Rupees Five Thousands) towards litigation cost to the petitioner within a period of eight weeks from the date of receipt of this order.

4. Petitioner is permitted to file interlocutory application to revive the present order in the event of non-compliance of the undertaking given by the Circle Officer in paragraph No. 9 of show cause. If the Circle Officer fails to comply his own undertaking at paragraph No. 9 before



31.07.2024, he would be subjected to contempt of Court proceedings and also exemplary cost would be imposed on him to the extent of Rs. 1 lakh. Such cost shall be paid from his pocket and not from the concerned department for the reasons that for complying the orders of this Court dated 14.01.2020 is yet to be complied as on this day.

5. With the above observation, present MJC / contempt application stands disposed of.

(P. B. Bjanthri, J)

(Alok Kumar Pandey, J)

GAURAV S./-

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