

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2198 of 2019

In
Civil Writ Jurisdiction Case No.14623 of 2018

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1. Kamleshwar Rai @ Kamleshwar Prasad Yadav S/o Late Sudhdev Rai, R/o vill Gawasara, Tola- Bangari, P.o.- Aima Bishunpur, Block- Marwan, P.s- Karja, Dist.- Muzaffarpur, Bihar.
 2. Nirmal Devi @ Urmila Devi W/o Sri Kamleshwar Rai, R/o Vill Gawasara, Tola- Bangari, P.o- Aima Bishunpur, Block- Marwan, P.s.- Karja, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary (Sri Deepak Kumar) Bihar, Patna.
2. Divisional Commisioner (Sri Narmadeshwar Lal) Muzaffarpur.
3. District Magistrate cum Collector (Sri Alok Ranjan Ghosh) Muzaffarpur.
4. Sub-Divisional Officer (Sri Anil Kr. Das) West Muzaffarpur.
5. Deputy Collector Land Reforms (Sri Surendra Kumar Albela) West Muzaffarpur.
6. Circle Officer / Anchaladhikari (Sir Mirtyunjay kumar) Anchal Marwan, Block- Marwan, Dist- Muzaffarpur.
7. Lal Babu Rai, R/o- Vill- Gawasara, Tola- Bangari, P.o- Aima Bishunpur, Block- Marwan, P.s.- Karja, Dist- Muzaffarpur.
8. Newa Lal Rai, S/o- Late Baldev Rai, R/o- Vill- Gawasara, Tola- Bangari, P.o- Aima Bishunpur, Block- Marwan, P.s.- Karja, Dist- Muzaffarpur.
9. Superintendent of Police (Sri Surendra Kumar) Muzaffarpur.
10. Station House Officer (Sri Uday Kumar Singh) Police Station- Karja, Dist- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pancham Lal Jaiswal, Advocate
For the Opposite Party/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 08-02-2024 Though the present petition has been

filed alleging disobedience of the order of this

Court dated 02.11.2018, passed in CWJC No.14623



of 2018 whereby and whereunder the respondents were restrained from demolishing the house of the petitioners, however, the learned counsel for the opposite parties has submitted by referring to the show-cause filed in the present case on behalf of the opposite party nos. 3 to 6 that the learned Additional Advocate General-12 had though informed the Circle Officer, Marwan on 02.11.2018, at about 4:10 p.m. that the Hon'ble Court had passed an order in the aforesaid writ petition at about 4:05 p.m. not to demolish the house of the petitioner, however the Circle Officer, Marwan had told the AAG-12 that the encroachment in question had already been removed at about 2:30 p.m., hence it is submitted that no contempt is made out.

2. The learned counsel for the petitioners has submitted that since the aforesaid writ petition has already stood disposed off with liberty to the petitioners to approach the learned Bihar Land Tribunal, the petitioners be granted liberty to raise their subsisting grievances before



the learned Bihar Land Tribunal. Liberty so sought is granted.

3. Accordingly, the present petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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