

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1845 of 2021

In
Civil Writ Jurisdiction Case No.1686 of 2020

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Shiv Balak Prasad Gond, Son of Late Siya Ram Gond, Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar, through The Principal Secretary Land and Revenue Department, Bihar, Patna, namely Shri Vivek Kumar Singh, Father name not known, Old Secretariat, Baily Road, Patna - 800015.
2. The Collector, Buxar, namely Sri Aman Sameer, Father name is not known, Collectariat Road, Buxar - 802101.
3. The Deputy Collector, Land Reforms (DCLR) Buxar District - Buxar, namely Sri Prabhat Kumar, Fathers name not known.
4. The Superintendent of Police, Buxar, District - Buxar namely Sri Neeraj Kumar Singh, Fathers name not known.
5. The Circle Officer, Buxar, District - Buxar, namely Miss. Priyanka Rai, Fathers name not known.
6. Vishal Tiwari @ Gokul Bhushan Tiwari, Son of Late Chandra Bhushan Tiwari, Resident of Village - Pandeypatti, Police Station - Buxar (Muffasil), District - Buxar.
7. Ramashray Gond, Son of Late Siya Ram Gond, Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.
8. Radheshyam Gond, Son of Late Banarasi Gond, Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.
9. Shivji Gond, Son of Late Banarsi Gond, Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.
10. Sanjay Yadav, Son of Late Nathun Yadav, Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.
11. Godhan Yadav, Son of Late Har Hangi Yadav, Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.
12. Sindhu Chaudhary, Son of Late Ram Vilas Chaudhari, Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.
13. Chaturbhuj Chaudhari, Son of Late Shiv Narayan Chaudhari, Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.
14. Krishna Chaudhari, Son of Shri Dharmraj Chaudhari Resident of Village - Pandey Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.
15. Govardhan Chaudhari, Son of Prem Chaudhari, Resident of Village - Pandey



Patti, Police Station - Buxar (Muffasil), Block - Buxar, District - Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nil Kamal, Advocate
For the Opposite Party/s : Mr. Birendra Prasad Singh, SC To SC-19

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

ORAL ORDER

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

14 03-01-2024 The present M.J.C is filed for non-compliance of the
order dated 12.07.2021 passed in C.W.J.C. No. 1686 of 2020.

2. The grievance of the petitioner is that private-respondents have encroached on the Government land viz., in Khatiyar as “Anabad Serve Sadharan” bearing Khata No. 548, Plot No. 1081, Ara 0.39, Decimal described as Pond Situated under Mauja-Pandey Patti, Ward No.6, Village- Pandey Patti, Block Buxar, P.S Buxar (M), District- Buxar.

3. Learned counsel for the respondent have filed show-cause stating that the aforementioned subject land is free from encroachment. On the other hand, learned counsel for the petitioner is disputing while filing reply on behalf of the petitioner to the counter affidavit filed by the opposite party stating that there are still encroachments stated to have been found by Bharat Yadav, Pandit Yadav, Sushil Chaudhary etc. However, in the rejoinder reply on behalf of the petitioner has



not refer to the aforementioned subject land, very vaguely stated in para -5 without furnishing the subject land and its character including Khata No., Plot No. etc. Therefore, we are satisfied in so far as compliance of the order of this Court dated 12.07.2021.

4. Accordingly, present M.J.C. contempt application stands dropped. Dropping of the present proceeding would not be a hurdle for the petitioner to file fresh lis before jurisdictional forum while furnishing all particulars in respect of encroachment against the government land, if so advised.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

Mayank/-

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