

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2647 of 2023

In
Civil Writ Jurisdiction Case No.10852 of 2022

=====

Krishnakant Son of Sri Maheswari Singh, Resident of Village-Badiha, Police Station-Dhanarua, District-Patna. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Rural Department, Patna, Bihar namely Dr. N. Saravana Kumar.
2. The Principal Secretary, Minor Irrigation Department, Government of Bihar, Patna, Bihar namely Shri Chaitanya Prasad.
3. The District Magistrate cum Second Appellate Authority, Public Dispute Resolution, Patna namely Dr. Chandrashekhar Singh.
4. The Additional District Magistrate cum First Appellate Authority, Public Dispute Resolution, Patna namely Shri Ramesh Kanwal.
5. The Sub-Divisional Officer cum Sub Divisional Public Dispute Resolution Officer, Masaurhi, Patna namely Preeti Kumari.
6. The Circle Officer, Dhanarua namely Sailaja Pandey.
7. Prasadhh Singh, son of Late Sadhu Singh, resident of Village-Badiha, P.O.-Vijayapura, P.s. and Anchal-Dhanarua, District-Patna.
8. Saryug Singh, son of Late Sadhu Singh, resident of Village-Badiha, P.O.-Vijayapura, P.s. and Anchal-Dhanarua, District-Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Kumar Prateek, Advocate
		Mr. Rahul Kumar Dubey, Advocate
		Mr. Shashi Ranjan Kumar, Advocate
For the Opposite Party/s :		Mr. Asif Kalivy, AC to AAG 12

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

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

Date : 02-04-2024

Show cause on behalf of the opposite party no. 2 along with Annexure-A, B and C are produced today. Para 6 of the show cause reads as under:-

"6. That it is further stated that in reply to the aforementioned letter the Executive AWRD Patna, vide its letter no. 935



dated 23.03.2024 has informed the Circle Officer Dhanarua that the site for the of Ahar Pyne located in Badiha village under Dhanma block was inspected in which it was found that the site located in Police Station No. 295, Account No. 340, Khesra No. 473 is not a Pyne The said site is Gairmajrue drain, which filed with soil it should be noted that the drain removing is not done by the Minor Irrigation Department, rather the drain removing is only done from the irrigation point of view by the present respondent department. As such the work of restoration of payan/drain to its original position is done by Minor Water Resource Department within 3 months."

2. In the light of the aforementioned statement, the proceeding of present MJC-contempt petition stands dropped reserving liberty to the petitioner to file interlocutory application to revive this order in the event of non-compliance of the show cause filed on behalf of opposite party no. 2 dated 01.04.2024. If Opposite parties fail to adhere to para 6 insofar as restoration of Pain/Drain to its original position within three months in that event he is liable to pay cost of Rs. 50,000/-. Accordingly, the present MJC-Contempt petition stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

