

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2419 of 2022

In
Civil Writ Jurisdiction Case No.19269 of 2021

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Naresh Sah, Son of Late Sonu Sah, Resident of Village- Kheshrahi, P.S.-
Patepur, District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar.
2. Mr. Yespal Mina, District Magistrate, Dist- Vaishali.
3. Mr. Sandeep Kumar, Sub Divisional Officer (SDO) Mahua, Dist- Vaishali.
4. Mr. Manoj Kumar Rai, Block Development Officer (BDO) Patepur, Dist-
Vaishali
5. Mr. Munna Prasad, Circle Officer, Patepur, Dist. Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Amrendra Narayan Rai, Advocate
For the Opposite Party/s: Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 06-02-2024

The present M.J.C. is filed for non-compliance of
the order dated 30.06.2022 passed in C.W.J.C. No. 19269 of
2021.

2. Co-ordinate Bench while deciding the
aforementioned writ petition directed the petitioner to submit
representation within a period of four weeks. Accordingly, he
had submitted representation on 20th July, 2022. Such



representation was required to be considered by the concerned authority within four months from the date of receipt of representation. In other words, the order was required to be complied on or before 19.12.2022. On the other hand, it was considered only on 27.01.2024.

3. Perusal of the communication dated 27.01.2024, the Block Development Officer, Patepur (Vaishali) has made an observation in his communication dated 27.01.2024 to the extent that certain claim of the petitioner would be assessed by the Block Junior Engineer and consequential order will settle the issues of the petitioner. In other words in entirety the order of the Court has not been complied even to this day.

4. Therefore, the Block Junior Engineer is hereby directed to undertake exercise in terms of the communication dated 27.01.2024 of the Block Development Officer, Patepur (Vaishali) and communicate the same to the petitioner. If any money is required to be adjusted or released in favour of petitioner in that regard, a detailed and specific assessment must be made by the Block Junior Engineer in its communication. If the petitioner is not satisfied with such communication, he is at liberty to initiate further proceedings in accordance with law.

5. Having regard to the delay factor in complying



the orders of this Court and in non-complying of certain portion of the representation and it is required to be complied on behalf of Block Junior Engineer as is evident from communication dated 27.01.2024 of the Block Development Officer, Patepur (Vaishali), we proposed to award cost of the litigation and it is quantified at Rs. 5000/-. Cost shall be paid to the petitioner within a period of eight weeks from today.

6. At this stage, learned counsel for the respondent submitted that petitioner has to cooperate in furnishing material information insofar as claim of renovation investment. In this regard, petitioner is hereby directed to furnish material information to the Block Junior Engineer at the earliest so as to enable him to comply our order.

7. With the above observations and directions, the present M.J.C-Contempt petition stands disposed of.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

manish/-

AFR/NAFR	N.A.F.R
CAV DATE	N.A
Uploading Date	07.02.2024
Transmission Date	N.A

