

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2463 of 2022

In

Civil Writ Jurisdiction Case No.20717 of 2021

Manoranjan Mishra Son of Late Sureshwar Mishra Resident of Village-
Ramasadh Tola, Pinjroi, Police Station-Sandesh, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Anand Kishore the Principal Secretary, Urban and Housing Development Department, Government of Bihar, New Secretariate, Patna.
2. Sri Anand Kishore, The Principal Secretary, Urban and Housing Development Department, Government of Bihar, New Secretariate, Patna.
3. Sri Dr. Chandra Shekhar Singh, The District Magistrate-Cum-Collector, Patna.
4. Sri Manavjeet Singh Dhillo, The Senior Superintendent of Police, Patna.
5. Sri Animesh Kumar Parashar, The Municipal Commissioner, Patna Municipal Corporation, 2nd Floor, Block-C, Maurya Lok Complex, Budha Marg, Patna.
6. Sri Nurul Haque Shivani, The Deputy Municipal Commissioner (Town), Patna. Municipal Corporation, 2nd Floor, Block-C, Maurya Lok Complex, Budha Marg, Patna.
7. Sri Anupam Kumar The Chief Executive Officer, Patna Municipal Corporation, Patna.
8. Sri Braj Bihari Prasad, The Arakshi Karamcharigan Sahkari Grih Nirman Samiti Limited (Police Colony), Anishabad), Phase No.1 Anishabad, Near Paharpur, Police Station-Gardanibagh, District-Patna.
9. Sri Braj Bihari Prasad The President, Arakshi Karamcharigan Sahkari Grih Nirman Samiti Limited (Police Colony), Anishabad), Phase No.1 Anishabad, Near Paharpur, Police Station-Gardanibagh, District-Patna.
10. Sri Daya Shankar Singh, The Secretary, Arakshi Karamcharigan Sahkari Grih Nirman Samiti Limited (Police Colony), Anishabad), Phase No.1 Anishabad, Near Paharpur, Police Station-Gardanibagh, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Aditya Narayan Singh.1, Advocate Mr.Subhash Pd. Singh, GA3
For the State	:	Mr.Shiv Kumar, AC to Ga 3
For the PMC	:	Mr.Prasoon Sinha, Advocate
For Intervenor	:	Mr.Shashank Shekhar Sinha, Advocate
For Respondent No.10	:	Mr.Mrityunjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

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

12 18-09-2024

3rd supplementary show-cause on behalf of the



Opposite Party No. 3 with affidavit along with Annexure-A has been filed. In Para 7, it is stated as under:-

“7. That in view of the aforesaid facts, it is apparent that the order 10-07-2024 passed in M.J.C. No.-2463 of 2022 and earlier order dated 07-10-2022 passed in C.W.J.C. No.- 20717 of 2021 by the Hon’ble Court has been complied.”

2. The subject land which is under dispute insofar as alleged illegal encroachment by the allottees of the land on behalf of the society is not a public land. It will not fall under the definition of Bihar Public Land Encroachment Act, 1956. In other words, alleged subject encroachment of land would be a part and parcel of society. Therefore, the petitioner have not made out a case so as to further continue the present contempt proceedings.

3. Accordingly, the present MJC - Contempt Petition No. 2463 of 2022 stands dropped, reserving liberty to the petitioner to invoke appropriate remedy.

4. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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