

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4131 of 2019

In
Civil Writ Jurisdiction Case No.3809 of 2019

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Bhagavan Saw, Son of Chethru Saw, Resident of At and P.O. and P.S.-
Paliganj, District-Patna.

... .. Petitioner/s

Versus

1. Sri Vivek Kumar Singh, the State of Bihar through the Principal Secretary, Revenue and Reforms Department, Govt. of Bihar, New Secretariat, Baily Road, Patna-800015.
2. Sri Kumar Ravi, the District Magistrate, District Collector at Office, District-Patna-800003.
3. Sri Surendar Kumar, the Sub-divisional Officer, Sub-Division-Paliganj, District-Patna.
4. Sri Kritya Nand Ranjan, the Deputy Collector of Land Reforms (D.C.L.R), Sub-Division-Paliganj, District-Patna.
5. Sri Chiranjivee Pandey, the Block Development Officer, Block-Paliganj, District-Patna.
6. Sri Rakesh Kumar, the Circle Officer, Circle-Paliganj, District-Patna.
7. Ajmal Hussain, Son of Late Leyakat Hussain, Resident of Village and Post and P.S.-Paliganj, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jayram Sharma, Advocate
For the Opposite Party/s : Mr. Kunal Tiwary, AC to GA 2

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

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

3 18-07-2024 The present contempt application is arising out of order dated 26.02.2019 passed in CWJC No. 3809 of 2019. This Court has directed the concerned officials to examine the encroachment and proceed to take action after due opportunity of hearing to the encroachers and the said exercise is required to



be completed within a period of six months. Six months have elapsed in the month of August, 2019 whereas even to this day encroachment has not been removed.

2. Perusal of show cause filed on behalf of opposite party Nos. 2 to 6 read with Annexure – R/A to R/C, it is evident that action has been taken only in the year 2024. There is no explanation from August, 2019 to the year 2024. It is a clear case of contempt of Court. Having regard to the fact that it is under last stage to the extent of removal of encroachment while taking assistance of various officials, accordingly, we proceed to drop the present proceedings subject to payment of cost of Rs. 20,000/- (Rupees Twenty Thousand). Cost shall be paid to the petitioner within a period of eight weeks from today on account of inordinate delay and continue to commit contempt of Court.

3. Further, conduct of the respondents was required to be taken note of to the extent that there is total inaction for more than three years. If they have administrative difficulty in implementing the orders of this Court, in that event in all fairness they should have approached this Court seeking to review the order or in filing an interlocutory application seeking extension of time, on the other hand, all the responsible officials / respondents have slept over the matter. This has warranted for



imposition of the aforementioned cost. If the concerned authority fails to complete the process of removal of encroachment by 01.08.2024, petitioner is at liberty to file interlocutory application to revive this order. He is also requested to apprise this Court who are all responsible officers in not removing encroachment so as to initiate contempt of Court proceedings against such of those officials.

4. With the above observation, the present contempt application stands dropped.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

GAURAV S./-

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