

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.326 of 2024

In

Civil Writ Jurisdiction Case No.6311 of 2021

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Ram Sakal Singh S/O Saruyug Singh Resident of Village- Bachchopati
Naraha (Tole Gachhi), P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary namely Mr. K. Senthil Kumar, Home Department, Bihar at Patna.
2. Mr. Manesh Kumar Meena, District Magistrate, Sitamarhi.
3. Mr. Isteyak Ali Ansari, Sub-Divisional Officer, Sitamarhi Sadar, District- Sitamarhi.
4. Mr. Bhogendra Yadav, Circle Officer, Bajpatti, District- Sitamarhi.
5. Budhan Baitha Son of Sarahu Baitha Resident of Village- Gachhi Tola Naraha, P.S.- Bajpatti, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Additional Advocate General 12

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 15-02-2025 1. No one appears on behalf of the petitioner. Learned
counsel for the opposite party is present.

2. The instant application has been filed alleging
violation of the directions contained in the order dated
24.4.2023 passed in CWJC no. 6311 of 2021 whereby the writ
application was disposed of giving liberty to the petitioner to
move before the respondent authority by filing appropriate
application under the Bihar Public Land Encroachment Act. As
per the petitioner's case therein the petitioner no.5 had
encroached upon the public land.



3. Learned counsel for the opposite party in reference to the statement made in paragraph no.7 of the supplementary show cause filed on behalf of the opposite party nos. 2 to 4 submits that with respect to land appertaining to Khata no.1620 Khesra no.5638 measuring an area of 4 decimals situated in village Narha, Gachhi Tola under Bajpatti Anchal of district Sitamarhi, the land was recorded as *Gair Majarua Khas*, Bihar *Sarkar* on which the opposite party no.5 Bhudhan Baitha had been living with his family after constructing hut of straw. Subsequently, said land was settled in favour of said Bhudhan Baitha vide Land Settlement Case no. 2 of 1998-99 and *Zamabandi* no.2486 has been created in his name. As such it is submitted that there is no violation of any direction of this Court.

4. It may further be noted on 3.1.2025 also no one had appeared on behalf of the petitioner and order to the following effect had been passed:

“1. No one appears for the petitioner. Learned counsel for the opposite party is present.

2. Referring to the statement made in paragraph no.19 and the order dated 12.6.2023 (Annexure-E) of the Circle Officer, Bajpatti passed in Misc. Case no.1/23-24, both to the supplementary show cause filed on behalf of the opposite party nos.2 to 4, it is submitted that the



proceedings were started and no encroachment having been found, the proceedings were dropped.

3. Learned counsel for the opposite party submits that the directions contained in order dated 24.4.2023 have been complied with.

4. As no one appears on behalf of the petitioner, put up on 10.1.2025.”

5. In view of the facts noted hereinabove, the Court is satisfied that no contempt is made out.

6. The application is dismissed.

(Partha Sarthy, J)

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