

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.289 of 2019

In
Civil Writ Jurisdiction Case No.8319 of 2013

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Samiur Rahman Late Sayeedur Rahman Presently residing at Rahika Tola,
Ward No.21, P.L.A. School Gali, Near A.D.B. Chowk, Araria, P.S. and
District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. Himanshu Sharma District Magistrate-cum-Collector-cum-Chief
Executive Officer, Araria
3. Mr. Bhavesh Kumar The then Executive Officer, Araria Nagar Parishad,
Araria
4. Mr. Dinanath Singh Present Executive Officer, Araria Nagar Parishad, Araria
5. Mr. Dhanpat Modi Junior Engineer, Araria Nagar Parishad, Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms.Sanjana, Advocate Ms. Alka Singh, Advocate
For the State	:	Mr. Manish Kumar, A.C. to Ex. AAG-6
For O.P. No.3	:	Mr. Sanjay Kumar Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

4 05-12-2025 Heard learned counsel for the petitioner, learned
counsel appearing for the State and learned counsel for Nagar
Parishad, Araria.

2. This application has been filed for initiating
contempt proceeding against the Opposite parties alleging that
they have willfully disobeyed the direction of this Court passed
vide order dated 03.04.2017 in M.J.C. No.92 of 2015.

3. Order dated 03.04.2017 passed in M.J.C. No.92 of



2015 which has been brought on record by way of Annexure-1
is reproduced hereinbelow for needful :-

“Heard the parties.

Learned counsel for the petitioner submits that work order has been cancelled but certain work has been done and materials are lying in the private land of the petitioner as public road cannot be constructed over his private land without permission of the petitioner.

Learned counsel for the State submits that in view of cancellation of work order whatever advance has been given the same has been directed to be returned. No materials are lying in the private land of the petitioner.

In such view of the mater, the authority would see if anything is lying that should be removed within one month from today. If they would fail to remove the material the petitioner, if so advised, may use it for his personal use.

Accordingly, this application is disposed of.”

4. From reading of the above order, it is apparent that there was no mandamus issued by this Court and hence the present contempt application filed by the petitioner is totally misconceived.

5. This application is, therefore, dismissed.

(Alok Kumar Sinha, J)

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