

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.352 of 2019
In
Civil Writ Jurisdiction Case No.7813 of 2012

1. UMESH YADAV Late Srichand Yadav resident of Village- Sangowar, P.S.- Nardiganj, District- Nawada.
2. Lildhari Yadav Sri Ram Keshar Yadav resident of Village- Jati, P.S. Rajgir, District- Nalanda.
3. Baldeo Yadav Late Amrit Yadav resident of Village- Kanaul, P.S. Rajgir, District- Nalanda.
4. Kuleshwar Prasad Late Puna Mahto resident of Village- Hiranbigha, P.S.- Nardiganj, District- Nawada.
5. Ishwar Mahto Late Lakhan Mahto resident of Village- Hiranbigha, P.S.- Nardiganj, District- Nawada.
6. Kishori Rajwanshi Late Mangar Rajwanshi resident of Village- Kanaul, P.S. Rajgir, District- Nalanda.
7. Ram Bilash Yadav Late Parmeshwar Yadav resident of Village- Pathra, P.S.- Nardiganj, District- Nawada.
8. Nathun Yadav Late Ram Kishun Yadav resident of Village- Rajgir, P.S. Rajgir, District- Nalanda.
9. Harihar Yadav Late Chhotu Yadav resident of Village- Rajgir, P.S. Rajgir, District- Nalanda.
10. Kapil Deo Prasad Yadav Late Etwari Yadav resident of Village- Pes, P.S.- Nardiganj, District- Nawada.
11. Rambriksh Yadav Late Bal Kishun Yadav resident of Village- Jati, P.S. Rajgir, District- Nalanda.
12. Ramchandra Yadav Late Bal Kishun Gope resident of Village- Jati, P.S. Rajgir, District- Nalanda.
13. Bhuneshwar Yadav Late Sohrai Yadav resident of Village- Jati, P.S. Rajgir, District- Nalanda.
14. Lalo Yadav Sri Karam Yadav resident of Village- Kanaul, P.S. Rajgir, District- Nalanda.
15. Anil Kumar Sri Bangali Ram resident of Village- Chakpar, P.S. Rajgir, District- Nalanda.
16. Chando Rajbansi Bansur Rajbanshi resident of Village- Nagar Viraitan, P.S. Rajgir, District- Nalanda.
17. Birju Yadav Late Shahdeo Gope resident of Village- Jati, P.S. Rajgir, District- Nalanda.
18. Chando Yadav Sri Baso Yadav resident of Village- Ange, P.S. Nardiganj, District- Nawada.
19. Suresh Rajbanshi Sri Chhote Lal Rajbanshi resident of Village- Chaurma, P.S. Nardiganj, District- Nawada.
20. Bhushan Sweeper Late Basudeo Sweeper resident of Village- Kundpar, P.S. Rajgir, District- Nalanda.



... .. Petitioner/s

Versus

1. THE STATE OF BIHAR through Sri Tripurari Sharan, the Additional Chief Secretary, Forest and Environment Department, Government of Bihar, Patna.
2. Sri Tripurari Sharan, the Additional Chief Secretary, Forest and Environment Department, Government of Bihar, Patna.
3. Sri Surendra Singh, the Additional Secretary, Forest and Environment Department, Government of Bihar, Patna.
4. Sri Surendra Singh, the Forest Conservator, Patna, Patna.
5. Sri K. Nesamani, the Divisional Forest Officer, Nalanda at Bihar Sharif.
6. Sri Amritdhari Singh, the Forest Rang Officer, Rajgir, Police Station- Rajgir, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan Prasad No. 1, Adv.
For the Opposite Party/s : Mr. Sarvesh Kumar Singh, AAG-13

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

13 05-12-2025 Heard learned counsel for the petitioners and learned counsel appearing for opposite parties.

2. This application has been filed for initiating contempt proceeding against the opposite parties for willful disobedience of the common order dated 14.05.2018 passed in C.W.J.C. No. No.8678 of 2002 along with C.W.J.C. No.7813 of 2012.

3. It is submitted by learned counsel appearing for the petitioners that in paragraphs-6 and 7 of the supplementary show-cause filed by the opposite parties, it has come on record that in compliance of the order passed in writ, the case of the petitioners were considered and with respect to each of the petitioners a detailed order has been passed on 19.03.2024



communicated to each of the petitioners on 19.07.2024 (Annexure-R/2). The statement made in paragraphs-6 and 7 of the supplementary counter affidavit is quoted herein below for needful:

“6. That in compliance of order passed by the Hon'ble Patna High Court the petitioners were given opportunity for hearing before the Divisional Forest officer, Nalanda Forest Division. The petitioners had appeared for hearing on 08.02.2024 and after hearing and taking into consideration their claims and documents produced by them reasoned orders have been passed by the Divisional Forest Office, Nalanda Forest Division.

7. That the case of each petitioner has been considered and separate order has been passed in every case. The copy of the order has passed, been communicated to them by letter no. 2334 dated 19.07.2024 of Divisional Forest Officer, Nalanda Forest Division. The replying respondent craves leave of this Hon'ble Court to produce the copies of orders passed, if it is so required, at the time of hearing of this Contempt Application. However the order passed in Case of petitioner no. 1 is annexed with this show cause for consideration of this Hon'ble Court.

Photocopy of the letter no.2334 dated 19.07.2024 and order passed in case of petitioner no.1 is being annexed as Annexure-R/2 to this Suppl.Show Cause.”



4. Since the order passed in writ has been complied with by the opposite parties, the present application is disposed of granting liberty to the petitioners to challenge the order dated 19.03.2024, in case the petitioners so desire.

(Alok Kumar Sinha, J)

Prakash Narayan

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