

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.753 of 2019

In
Civil Writ Jurisdiction Case No.2869 of 2018

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Rakesh Mahto S/o Ram Vilas Mahto Resident of Village- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through Shri Brijesh Mehrotra the Principal Secretary, Land Reform and Revenue Department, Govt. of Bihar, PATNA
2. Sri Mayank Warware the Commissioner Darbhanga Division, Darbhanga
3. Sri Chandrashekhar Singh The District Magistrate, Samastipur
4. Sri Varun Kumar Mishra The Deputy Development Commissioner, Samastipur.
5. Shri Aman Kumar Suman The Sub Divisional Officer, Rosera, District- Samastipur.
6. Smt. Premlata Devi Zila Parishad, Samastipur
7. Sri Varun Kumar Mishra The Executive Officer Zila Prishad, Samastipur.
8. Shri Ramdatt Paswan The Circle Officer, Shivajinagar Circle, Samastipur.
9. Raj Kumar Pandit The Revenue Clerk, Shivajinagar Circle, District- Samastipur.
10. Shital Das S/o Late bangali Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
11. Upendra Das S/o Late Parmeshwar Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
12. Singheshwar Das S/o Late Satyanarayan Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
13. Ram Chandra Das S/o Late Fudi Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
14. Chhannu Das S/o Late Fudi Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
15. Kailash Das S/o Late Ram Khelawan Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
16. Kari Das S/o Late Baldev Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
17. Mahavir Das S/o Late Baldev Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
18. Dinesh Das S/o Late Ram Dahin Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
19. Bhola Das S/o Late Ram Chandra Das Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
20. Madan Jamadar S/o Late Paltu Jamadar Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
21. Pramod Mahto S/o Late Mahindra Mahto Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
22. Jeewachh Kamti S/o Late Muneshwar Kamti Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
23. Jamun Sharma S/o Late Bhola Sharma Resident of Village and Post Office- Ballipur Parshuram, P.S.- Shivajinagar, District- Samastipur.
24. Amal Das S/o Late Jageshwar Das Resident of Village and Post Office- Ballipur



Parshuram, P.S.- Shivajinagar, District- Samastipur.

25. Mahendra Das S/o Late Fudi Das Resident of Village and Post Office- Ballipur
Parshuram, P.S.- Shivajinagar, District- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

3 18-04-2025 None appears on behalf of the petitioner, however

learned counsel for the opposite parties are present.

2. This contempt petition has been filed alleging

violation of order dated 09.03.2018 passed in CWJC No. 2869

of 2018, wherein, this Court has passed the following order:-

"Considering the rival submissions of the parties, it appears that respondent no.8 has failed to discharge his quasi judicial function, hence, the petitioner is permitted to submit a representation before respondent no.8, the Circle Officer, Shivajinagar within a period of three weeks, whereupon, the Circle Officer will examine the revenue records and if need be make spot verification and if he finds that public road/land has been encroached upon, then he will initiate a proceeding forthwith, if it has not already been initiated. It is further expected from the respondent no.8, the Circle Officer, Shivajinagar to take such proceeding to its logical conclusion within a period of three months, by giving due opportunity of hearing to all affected persons including the respondent nos. 10 to 25 under the provisions of the Act."



3. Opposite party Nos. 3, 4, 5 ,8 & 9 have filed a show cause, wherein, in paragraph No. 4 it has been stated as under:-

"4. That after that the respondent no. 8 demanded the deputation of Magistrate and armed forces from Respondent no. 5 lastly on 8-12-2020 vide letter 1547. on the order of Respondent no. 5 vide letter no. 1816/C dated 18-12-2020 fixed a date on 22-12-2020 to vacate the aforesaid encroachment and on 22-12-2020 The Respondent no. 8 with the BDO Shivajee Nagar SHO Hathouri with no ladies and gents armed forces, in presence of several villagers and also in presence of writ petitioner Rakesh Mahto vacated the full encroachment and also issues a latter to SHO Hathouri to look after the land in question vide letter no. 1644 dated 22-12-2020."

4. On perusal of paragraph No. 4 of the show cause filed by the opposite party Nos. 3, 4, 5, 8 & 9, I find that the order dated dated 09.03.2018 passed in CWJC No. 2869 of 2018, has been duly complied with by the respondents.

5. In view of the above, this contempt application stands closed and disposed of.

(Nani Tagia, J)

Siddharth
Sagar/-

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