

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1374 of 2025

In
Civil Writ Jurisdiction Case No.13579 of 2017

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Achyuta Nand Yadav @ Achyuta Nand Singh Son of Late Baldeo Yadav @
Baldeo Mahto, Resident of Village- Kumar Pur, Police Station- Phullidumar,
District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Biha
2. Mr. Dipak Kumar Singh, Son of not known to the petitioner, Additional
Chief Secretary / Principal Secretary, Department of Revenue and Land
Reforms, Govt. of Bihar, Patna.
3. Mr. Dinesh Kumar, Son of not known to the petitioner, the Divisional
Commissioner, Bhagalpur Division, Bhagalpur.
4. Ms. Bandana Varma, Wife of/ daughter of not known to the petitioner, the
Deputy Collector Land Reforms, Banka, District- Banka.
5. Mr. Manoj Kumar, Son of not known to the petitioner, the Circle Officer,
Phulli Dumar, District- Banka.
6. Mr. Pankaj Kumar Singh, Son of Late Ugramohan Singh, Resident of
Village and P.O. Kumarpur, P.S. Phulli Dumar, District- Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Mohan
For the Opposite Party/s : Mr. Government Pleader 18

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-06-2025 1. Heard learned counsel for the parties concerned.
2. The present contempt application has been filed for
willful and deliberate violation of the order, dated
21.09.2017, passed in CWJC No. 13579 of 2017.
3. Learned counsel for the petitioner submits that the
petitioner is original owner of a piece of land
admeasuring 2.52 acres bearing Khata No. 72, Khesra No.



534/604 situated in Village Kurnarpur.

4. By order, dated 28.07.2017, passed by Member Administrative, Bihar Land Tribunal, Patna, in BLT Case No. 1189 of 2015, the case of the petitioner was dismissed upholding the order, dated 05.08.2015, passed by Divisional Commissioner, Bhagalpur, in Miscellaneous (Land Dispute Resolution) Appeal Case No. 98 of 2014-15 and order, dated 05.09.2024, passed by Deputy Collector Land Reforms in Land Dispute Case No. 30 of 2013-14.
5. By issuing notice to the respondent no. 5, dated 21.09.2017, this Court stayed the operation of order, dated 28.08.2017, passed by Member Administrative, Bihar Land Tribunal, Patna, in BLT Case No. 1189 of 2015.
6. Learned counsel for the petitioner submits that despite the fact that the matter is subjudice before this Court and the order passed Bihar Land Tribunal, Patna, has been stayed, the Circle Officer, Phulli Dumar, Banka, has issued a notice, dated 05.03.2025, to the petitioner under Section 3 of the Bihar Public Land Encroachment Act, 1956. He next submits that objection pursuant to the notice, dated



05.03.2025, has already been filed by the petitioner before the Circle Officer, Phulli Dumar, Banka, on 21.03.2025, annexed at Annexure-9.

7. Learned counsel for the State submits that under no circumstance the order passed by this Court shall be violated by the Circle Officer, Phulli Dumar, Banka.
8. The present contempt application is disposed with the observation that the petitioner shall be at liberty to approach this Court if the order of Court is violated by the State-authorities.

(Anil Kumar Sinha, J)

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