

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2030 of 2024

In
Civil Writ Jurisdiction Case No.11528 of 2017

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Sri Sri 108 Baba Maneshwar Nath Ji Mahadev(Mahanth Asthan) village Gorhail through its Secretary Sri Ram Kumar Mishra Sex-Male, aged about 70 years S/o Late Upendra Narayan Mishra, Resident of Village Tumoul, Ps. Ghanshyampur, Distt. Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar, through The District Magistrate, Darbhanga Sri Rajeev Raushan Darbhanga.
2. The Bihar State Hindu Religious Trusts Board, through its Superintendent, Vidyapati Marge, Patna 800001, Sri. A. K. Jain.
3. The Senior Superintendent of Police, Darbhanga, Sri. Jagunath Reddy.
4. Smt. Nilofar Malika, the then Circle officer Ghanshyampur Cum Ex- Officio Chairman of the Trust Committee of Baba Maneshwar Nath Mandir (Mahanth Asthan Gorhail) Ghanshyampur, Distt. Darbhanga, at present I/c C.O. Gaura Bauram, Distt. Darbhanga.
5. Sri Ajit Kumar Iha, the SHO, Ghanshyampur, District Darbhanga.
6. Sri Pawan Kumr Sah, The Circle officer Cum Ex-Officio Chairman of the Trust Committee of Baba Maneshwar Nath Mandir (Mahanth Asthan Gorhail) Ghanshyampur, Distt. Darbhanga.
7. Sri Rajeev Raushan, the District Magistrate, Darbhanga.
8. Sri Arvind Kumar Verma, the District Magistrate, Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Suresh Pd Singh No.1, Advocate
For the State	:	Mr. Rajesh Kumar, AC to GP-3
For the Religious Trust Board	:	Mr. Shekhar Singh, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-01-2025 Heard the parties.

2. The present petition has been preferred for initiation of a proceeding of contempt against the opposite party no. 4, who has willfully undermined and disobeyed the order of the Hon'ble court dated 26.06.2023 passed in C.W.J.C.No.11528 of 2017 by Hon'ble Court, where under the Opp. party No.4



appeared in person and undertaken that "whatever encroachment remains, the same shall be positively removed within a week" but she has not taken any step after disposal of the writ despite repeated representations filed by the petitioner, overlooking that the Hon'ble court has been pleased to dispose of the writ on her such undertakings, and thus it is clear case of contempt, for which the Opp. party no.4 required to be proceeded for committing contempt of the order of the Hon'ble court.

3. Earlier the State had made it clear that all the encroachments have been removed and whatever remain will be cleared.

4. According to the petitioner, the encroachment still remains.

5. Be that as it may, the continuance superintendence of everyday encroachment cannot be taken note by the Court.

6. If the petitioner so want, can file a fresh writ petition.

7. Granting said liberty, the petition stands disposed of.

(Rajiv Roy, J)

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