

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3984 of 2019

In
Civil Writ Jurisdiction Case No.20864 of 2018

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Ramesh Kumar Jain S/o- Late Tej Pal Saraoji, R/o- Ganesh Bhawan, Near
Gandhi Maidan, P.O. and P.S.- Thakurganj, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Shri Harjot Kaur, The Principal Secretary,
Animal Husbandry, Diary and Fisheries.
2. Mr. Himanshu Sharma, The Collector- Cum- District Magistrate,
Kishanganj.
3. Mr. Sanjay Kumar, The Touring Veterinary Officer, Thakurganj, District-
Kishanganj.
4. Mr. Uday Krishna Yadav, The Anchal Adhikari, Thakurganj, District-
Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Subash Chandra Yadav (GP-15)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

3 17-04-2025 This contempt petition has been filed alleging

violation of the order dated 30.04.2019 passed in C.W.J.C. No.

20864 of 2018, wherein this Court had passed the following

order :

“Necessary decision as to
restoration of possession over the land of the
petitioner or for payment of compensation for
use of land of the petitioner shall be taken by
the District Magistrate, Kishanganj at the
earliest preferably within a period of four
months from today.

The petitioner is granted liberty to



place all the relevant documents to establish his right, title and interest over the land in question as private land.

While taking decision, the Collector is also required to see whether initial alignment has been changed without cogent reason or not.

With the aforesaid, the present writ application stands disposed of.

2. Opposite Party Nos. 2 and 4 have filed the show cause, wherein, in paragraph Nos. 6 and 7 it has been stated as under:

“6. That Respondent No.:- (2) The District Magistrate, Kishanganj constitutive an Enquiry Committee under the chairmanship of Additional Collector, Kishanganj vide letter no. 1307, Dt-01.08.2019 regarding the detail enquiry of the grievances of the writ petitioner and the above enquiry report was sent by him vide his letter no.1426, Dt-26.09.2019 in which it was found that the land in question coming in Circle-Thakurganj, Mauza-Gothara, Khata No-92, Khesara No-2456, 2457, 2458, 2459 and 2459/3887, Area-0.55 Acres on which Vetnary Hospital, Thakurganj has been constructed had been acquired under land acquisition act 1864 by land acquisition record No. 78/1957-1958, in which notice has been issued to land owner Sri



Ganeshmal Saravagi S/o Gangabaksh Saravagi, at Kanakpur, Thakurganj under section 12 (2) of said act and after that again notice have been issued to him for taking the amount of compensation under rule 10 of statutory rules, but the amount of compensation has not been taken by land owner Sri Ganeshmal Saravagi S/o Gangabaksh Saravagi, at Kanakpur, Thakurganj and after that the amount of compensation has been deposited in Treasury through challan.

7. That after getting the enquiry report of the team of Additional Collector, Kishanganj, the entire matter was again scrutinized by this respondent No. 02 District Magistrate, Kishanganj and it was found that the enquiry report of Additional Collector, Kishanganj is correct and based on supporting papers and records of land acquisition and a final order bearing memo No. 1711, Dtd. 23-10-2019 has been issued by this respondent No. 02 District Magistrate, Kishanganj, in which it was observed that the claim of the writ petitioner on the land in question Circle-Thakurganj, Mauza-Gothara, Khata No-92, Khesara No-2456, 2457, 2458, 2459 and 2459/3887, Area-0.55 Acres is not correct. The above order bearing memo No. 1711, Dtd. 23-10-2019 has been served to writ petitioner also. It is hereby most humbly stated and submitted that this respondent No. 02



District Magistrate, Kishanganj has complied order dated 30.04.2019 in C.W.J.C. No:-20864 of 2018 passed by the Hon'ble Court.”

3. On perusal of paragraph Nos. 6 and 7 of the show cause filed by the Opposite Party Nos. 2 and 4, I find that the order dated 30.04.2019 passed in C.W.J.C. No. 20864 of 2018 has been complied with by the Opposite Party Nos. 2 and 4.

4. Accordingly, the contempt petition stands closed and disposed of.

(Nani Tagia, J)

Narendra/-

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