

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3610 of 2018

In
Civil Writ Jurisdiction Case No.18720 of 2015

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Kamal Deo Singh @ Kamal Deo Bharadwaj S/o Sri Deo Prasad Resident of
Village-Machhariyawan,P.S. Fatuha,Dist.-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar Through Sri Deepak Kumar, The Chief Secretary,
Government Of Bihar, and ors. Old Secretariat,Patna
2. Sri Kumar Ravi, District Magistrate,Patna
3. Sri Rajesh Raushan, Sub-Divisional Magistrate,Patna City,
4. Sri Akhilesh Prasad, Deputy Collector, Land Reforms,Patna City,Patna
5. Sri Anand Kumar, Superintendent of Police (Rural),Patna
6. Sri Sunil Kumar , Deputy Superintendent of Police,Fatuha,Patna
7. Sri Anil Kumar Mishra, Circle Officer,Daniyawan,Patna
8. Sri Nandji,Officer-in-Charge/ Thanadhyaksha,Fatuha Police Station,Patna
9. Munna Thakur, S/o Late Mangal Thakur Resident of Village-
Machhariyawan,P.S. Fatuha,Dist.Patna
10. Hare Ram Hare Krishna S/o Late Tulsi Narayan Mahto Resident of Village-
Machhariyawan,P.S. Fatuha,Dist.Patna
11. Gauri Shankar Son Sri Hare Ram Hare Krishna Resident of Village-
Machhariyawan,P.S. Fatuha,Dist.Patna
12. Shiv Shankar S/o Sri Hare Ram Hare Krishna Resident of Village-
Machhariyawan,P.S. Fatuha,Dist.Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Shekhar
For the Opposite Party/s : Mr.Md. Khurshid Alam Aag 12

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

20 14-02-2025

Time and again, we have made all necessary
endeavour to remove the alleged encroachment. However, for
the second time it is stated to be encroached by the anti-social
elements. Reply to the supplementary show-cause read with the



documents in the supplementary show-cause on behalf of the respondents are not tallying. Still learned counsel for the petitioner addressing that encroachment is existing. This cannot be examined in the Contempt of Court proceedings for the reasons that Co-ordinate Bench in the writ petition has only made an observation while dismissing CWJC No. 18720 of 2015 on 1101.2017 as under:-

“4. However, we may observe that the respondents shall ensure that the land is not encroached again by the anti-social elements.”

2. According to the learned counsel for the respondents on instruction submitted that there are no encroachments as on this day in respect of subject land which was the subject matter of CWJC No. 18720 of 2015. If the petitioner still feels that there are encroachment, petitioner is at liberty to invoke afresh remedy before the appropriate forum.

3. Accordingly, the present MJC No. 3610 of 2018 stands disposed of.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

abhishekk/-

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