

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.644 of 2020

In

Civil Writ Jurisdiction Case No.9239 of 2019

Dr. Amit Kumar Singh Son of Sri Ajit Kumar Singh Resident of Mohiuddin
Nagar, P.s.- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Kumar Ravi, the District Magistrate-cum-Collector, Patna.
2. Sri Kumar Ravi, the District Magistrate-cum-Collector, Patna.
3. Sri Mahendra Gupta, the Circle Officer, Danapur, Patna.
4. Smt. Kumari Anupam Singh, the Sub Divisional Officer, Patna.
5. Sri Shamim Akhtar Mazhari, the Circle Officer, Patna Sadar, Patna.
6. Smt. Kumari Anupam Singh, the Sub Divisional Officer, Patna, Bihar.
7. Sri Upendra Sharma, the Senior Superintendent of Police, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra, Sr. Advocate with
Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shailendra Kr. Dwivedi, AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

and

HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

16 16-01-2026

Heard learned counsel for the parties.

2. The present contempt application has been preferred against the order dated 30.04.2019 passed in C.W.J.C. No. 9239 of 2019, whereby following directions were issued:-

“Matter is serious and requires examination at the level of the District Magistrate, Patna who is accordingly directed to examine and consider the grievance of the petitioner raised at Annexure-1 and take appropriate action in accordance with law,



preferably within a period of three months from the date of receipt/production of a copy of this order.”

3. A show cause has been filed on behalf of the O.P. Nos. 2 to 6. The relevant statements made in para 5, 6 and 7 of the said show cause are reproduced hereinbelow:-

“5. That the Circle Officer, Danapur has submitted his report vide letter no-5473, dated-13.12.2025 (Annexure-A Series) wherein it has been stated that the encroachments on both side of Patliputra Railway Station has been removed. Further some encroachments had resurfaced on the said land. However it has also been removed which is apparent from the photographs annexed with the report.

6. That as far as the encroachments from the Shabri Nagar area under Mauja-Khalilpura is concerned, it is humbly submitted that Sri Shyam Sundar Kumar @ Shyam Sundar Kumar Manjhi and others had filed C.W.J.C. No.-9547 of 2025 with regard to their claim over the land in question under Mauza-Hadaspora, Thana no.-38, Khata no. 268, Plot no.-749, area-288 Sq. feet located in Shabri Nagar Colony.

The Hon'ble Court after hearing the matter has passed order dated-24.09.2025 whereby it has been held "Considering the aforesaid submissions made by the parties and the fact that the petitioners have been residing upon the subject land for the last 40 years, settlement proceedings in Settlement Case No. 04/2001-02 has been initiated and the matter is still pending before the B.L.T. pursuant to the order passed by this Court for settlement of land in favour of the petitioners as per government circular, for the ends



of justice, it is ordered that till further order, the possession of the petitioners upon the subject land shall not be disturbed and their houses, huts etc. situated upon the subject land shall not be demolished."

7. That in light of the order passed by the Hon'ble Court in C.W.J.C. No.-9547 of 2025, further action for removing the encroachments in the Encroachment Case No.-02/2025-26 has been stayed.

8. That the Circle Officer, Patliputra has submitted his report vide letter no-1757, dated-11.12.2025 (Annexure-B Series) whereby the encroachments from the land in question from Aashiyana Road to Digha has been removed as found in spot inspection on 11.12.2025. Further on spot inspection dated-11.12.2025, it has been found that there is no encroachment from Lojpa Office to Secretariat. Earlier 36 temporary encroachments were removed from the said land. Finally with regard to encroachment from Gayan Ganga Book Stall to Shyamal Hospital under Mauja-Khajpura, Encroachment Case No-1017/2024-25 had been initiated for removing temporary and permanent encroachments made by 60 persons, whereby 26 encroachments were removed earlier. However the remaining 34 persons are staying on the land by constructing house under Indira Aawas Yojana. The said 34 persons were issued notice under section 3 of the Bihar Public Land Encroachment Act, 1956. After considering the records the said Encroachment Case No-1017/2024-25 has been dropped vide order dated-09.09.2025 by the Circle Officer, Patliputra."

4. Upon perusal of the statements referred to



hereinabove, it is evident that, admittedly, the encroachments have already been removed in pursuance of the order passed by the Writ Court. So far as the remaining encroachments are concerned, the same could not be removed on account of the interim order dated 24.09.2025 passed by this Court in CWJC No. 9547 of 2025, whereby stay was granted with respect to the removal of such encroachments.

5. Considering the aforesaid facts, no further order is required to be passed in the present application. Accordingly, the contempt application stands disposed of.

6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

(Ritesh Kumar, J)

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