

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3673 of 2025

In
Civil Writ Jurisdiction Case No.5862 of 2022

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1. Pushpa Devi Wife of Sri Amit Kumar Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, P.S. and Anchal-Bachchwara, District-Begusarai, PIN code-851111.
 2. Chandra Bhushan Singh, son of Late Damodar Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, P.S. and Anchal-Bachchwara, District-Begusarai, PIN code-851111.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri K. K. Pathak, the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. Smt. J. Priyadarshni, The Director, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. Sri Arvind Kumar Chaudhary, The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
4. Sri Ram Kumar Poddar, The Director, Rural Development Department, Govt. of Bihar, Patna.
5. Sri Abnish Kumar Singh, The Commissioner, Munger Division, Munger.
6. Sri Tushar Singla, The District Magistrate, Begusarai.
7. Sri Rakesh Kumar, The Sub Divisional Officer, Teghra, Begusarai.
8. Sri Pritam Kumar Gautam, The Anchal Adhikari, Bachchwara Anchal, District-Begusarai.
9. Sri Abhishek Raj, The Block Development Officer, Bachchwara Block, District-Begusarai.
10. Dr. Shashi Bhushan Singh, son of Late Bhubneshwar Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
11. Sri Shailendra Prasad Singh, son of Late Shatrughan Prasad Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
12. Sri Satyendra Prasad Singh, son of Late Shatrughan Prasad Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
13. Sri Jitendra Prasad Singh, son of Late Shatrughan Prasad Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
14. Sri Sanjeev Kumar Singh, son of Late Sharda Prasad Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
15. Sri Rajeev Kumar Singh, Son of Late Sharda Prasad Singh, resident of



Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.

16. Sunita Devi, Daughter of Lte Sharda Prasad Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
17. Rita Devi, Daughter of Late Sharda Prasad Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
18. Abhilasha Devi, Daughter of Late Sharda Prasad Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
19. Sri Bibhuti Prasad Singh alias Bibhuti Narain Singh, son of Late Bachchu Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
20. Sri Kumar Achutanand Singh, son of Late Sri Narain Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
21. Sri Sachidanand Prasad Singh, son of Late Sri Narain Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
22. Sri Nalin Kumar Singh, son of Late Sri Narain Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.
23. Sri Kumar Vivekanand Singh, son of Late Sri Narain Singh, resident of Village-Rudauli, Ward No. 13, Post-Rudauli, Via-Bachchwara, P.S. and Anchal-Bachchwara, District-Begusarai, PIN Code-851111.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia, Advocate
For the Opposite Party/s : Mr. Additional Advocate General 12

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

3 19-02-2026 The present contempt application has been filed for
the following relief:-

*“That this application is directed for
initiation of a proceeding of Contempt of Courts*



against the Opposite Party No. 8 for his willful and deliberate disobedience and non-compliance of the order dated 24.06.2022 passed by the Division Bench of this Hon'ble Court presided over by Hon'ble Mr. Justice Sanjay Karol, the then Hon'ble Chief Justice of this Hon'ble Court and Hon'ble Mr. Justice S. Kumar as His Lordship then was in C.W.C.J.C. No. 5862 of 2022 contained in Annexure-P/1 of this Contempt Application."

2. The present contempt application has been preferred alleging non-compliance of the order dated 24.06.2022 passed in C.W.J.C. No. 5862 of 2022.

3. The writ Court, while disposing of the writ petition, had observed and directed as follows:-

As such, petition stands disposed of in the following terms:-

(a) Liberty reserved to the petitioner to take recourse to such remedies as are otherwise available in accordance with law;

(b) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(c) The authority concerned shall consider and dispose of the matter expeditiously by a reasoned and speaking order preferably within a period of four months from the date of approaching the petitioner before the appropriate authority;



(d) Needless to add, while considering and deciding the matter, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(e) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(f) We have not expressed any opinion on merits. All issues are left open;

(g) The proceedings, during the time of current Pandemic- Covid-19, shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

The petition stands disposed of in the aforesaid terms.

4. A show cause has been filed on behalf of the opposite party Nos. 6 to 9, wherein following statements have been made:-

7. That encroachment proceeding vide Case No. 2/2023-24 was initiated by the Circle Officer Bachhawara and called for report from the Revenue Karamchari & the Circle Inspector and on the basis of report notice was issued to the encroacher.

8. That the Circle Officer Bachhawara received copy of plaint along with Summon of the Title Suit No. 14/2024 (Vibhuti Narayan Singh vs State of Bihar). One of the encroacher Shashi



Bhushan Prasad Singh filed an application before the Circle Officer Bachhawara intimated that he has filed appeal before the Collector Begusarai against the order of the Circle Officer Bachhawara. He also stated that Jamabandi No. 255 with respect to land of Khesra No. 1357 under Khata No. 458 in Mauza-Rudauli is standing in the name of Shashi Bhushan Prasad Singh & Vibhuti Narayan Singh.

9. Considering the proceeding with respect to land in question is sub-judice before the Sub Judge Teghra and as such Circle Officer Bachhawara stayed the encroachment proceeding till the judgment of the Trial Court vide Order dated 29-07- 2024.

5. Upon perusal of the materials on record, it appears that Encroachment Case No. 2/2023-24 could not proceed on account of pendency of Title Suit No. 14 of 2024 with respect to the same land. In such circumstances, it cannot be said that there is wilful or deliberate disobedience of the order passed in C.W.J.C. No. 5862 of 2022. However, it is made clear that once the title suit in question is decided, the respondents/opposite parties shall be under obligation to proceed in accordance with law and carry out the observations and directions made in the order dated 24.06.2022 passed in C.W.J.C. No. 5862 of 2022.

6. With the aforesaid observation, the present contempt application stands disposed of.



7. In case the opposite parties fail to discharge their duties in light of the observations made by the writ Court, the petitioners shall be at liberty to file a fresh application before this Court.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

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