

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.4489 of 2024**

**In**  
**Civil Writ Jurisdiction Case No.10910 of 2024**

Hira Prasad S/o- Late Gharbharan Kumhar R/o village- Sohrai, P.O.- Tali,  
P.S.- Guthani, District - Siwan.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Sri K.K. Pathak Land Revenue and Reforms Department, Govt. of Bihar Patna.
2. Mr. Mukul Kumar Gupta, The District Magistrate, Siwan.
3. Shri Shahbaz Khan, The Deputy Collector, Land Reforms (DCLR) Siwan.
4. Sri Rahul Kumar, The Circle Officer, Anchal Mairwa, Siwan.
5. Sri Rakesh Kumar, The S.H.O., Mairwa, Siwan.
6. Omkar Tiwari, S/o Late Umesh Tiwari R/o Village- Langarpura, P.S.- Mairwa, District- Siwan.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar, Advocate  
For the Opposite Party/s : Mr. Sita Ram Yadav, G.P 16  
Mr. Yatindra Narayan, AC to G.P.16

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

4      10-04-2026      Heard the parties.

2. The present application has been filed for  
issuance of following relief/s:

*“1. That the present application  
is being filed for initiation of contempt  
proceeding against the opposite parties  
contemnors for will ful and deliberate  
violation and disobedience of the*



*order/direction dated 25.07.2024 passed in C.W.J.C. No. 10910 of 2024 by the Hon'ble Mr. Justice Rudra Prakash Mishra wherein and whereby his Lordships was pleased to direct respondent No.3 to dispose of with a direction that if the petitioner files a fresh application for compliance of the aforesaid order dated 11.03.2022 passed in LDR Case No. 04 of 2021-2022 within a period of six weeks after hearing all the parties including the along with a fresh application."*

3. Learned counsel for the petitioner submitted that despite a clear direction passed by the Bench on 25.07.2024 in CWJC No. 10910/2024, the respondents have willfully and deliberately failed to comply with the same, rendering their conduct contumacious in nature. It is submitted that earlier, in LDR Case No. 4/2021–22, the competent authority had already passed an order in favour of the petitioner, and this Court had further directed the concerned authorities to ensure its implementation within a stipulated period of six weeks; however, no effective action has been taken till date. The petitioner asserts that even after submitting a representation



dated 06.08.2024 along with the copy of the Court's order, the respondent authorities remained inactive. It is further contended that the petitioner, being a bona fide purchaser of the land in question, is being unlawfully obstructed in peaceful possession by respondent no. 6, who is creating nuisance and hindrance with mala fide intent. The petitioner alleges that the concerned officials, including the revenue and police authorities, have failed in their duty to enforce the lawful order and ensure peaceful possession, despite being jointly responsible for compliance as per settled legal position. Due to such prolonged inaction extending over more than two years, the petitioner, an aged person of about 85 years, has suffered mental harassment and irreparable loss. Hence, the petitioner has approached this Hon'ble Court seeking initiation of contempt proceedings against the respondents for willful disobedience of the Court's order and for issuance of appropriate directions for immediate compliance.

4. Two show causes have been filed on behalf of the State. Referring to the statements made in paragraph Nos. 10 and 11 of the 2<sup>nd</sup> Show Cause filed on behalf of opposite party No. 3, it has been submitted by learned counsel for the State that in compliance of order dated 25.07.2024 passed in C.W.J.C. No.



10910 of 2024, the DCLR issued a letter No. 1210 dated 13.08.2024 to the Circle Officer, Mairwa. The Circle Officer, Mairwa in compliance of the said letter has reported to the DCLR, Siwan that the dispute is with regard to ownership and two cases viz. Probate Case No. 67 of 2017 and Title Suit No. 1881 of 2015 are pending before Civil Court, Siwan and as such it was directed the applicant may pursue before the competent court for redressal of ownership dispute and reported the same to the DCLR, Siwan vide letter No. 73 dated 13.01.2026. Thus, the order of the Hon'ble Court has been complied with.

5. Considering the above, since the order passed by this Court has already been complied by the Opposite Parties, the present contempt application stands disposed of.

**(Rudra Prakash Mishra, J)**

manish/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

