

Ram Binay Sharma @ Ram Binay Vs. the State of Bihar and ors

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Court : Patna

Decided On : May-12-2012

Appellant : Ram Binay Sharma @ Ram Binay

Respondent : The State of Bihar and ors

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Miscellaneous Jurisdiction Case No.5107 of 2011 RAM BINAY SHARMA @ RAM BINAY SON OF GAYA SHARMA, R/O VILLAGE KONCH, P.S. KONCH, DISTT. GAYA. Versus 1. THE STATE OF BIHAR 2 VANDANA PREYASI, D/O NOT KNOWN TO THE PETITIONER, AT PRESENT THE DISTRICT MAGISTRATE, GAYA.

3. AMAR NATH PATHAK, SON OF NOT KNOWN TO THE PETITIONER THE EXECUTIVE ENGINEER, ROAD CIRCLE NO.1, GAYA.

4. RAKESH KUMAR, THE SUB-DIVISIONAL OFFICER, TEKARI, GAYA.

5. SATENDRA PRATAP MADHUKAR, CIRCLE OFFICER, KONCH, GAYA.

----- 05. 12.01.2012 In compliance of my order dated 3.1.2012 Circle Officer, Konch, Gaya and the Executive Engineer, P.W.D. Gaya are present. It is submitted by them that in compliance of the order of the High Court dated 5.1.2011 passed in C.W.J.C. No.12664 of 2008 notice dated 4.1.2012 in Encroachment Case No.09 of 2008-09 has been issued to M/s Umesh Singh son of late Janeshwar Singh and Grijesh Singh son of late Nand Kishore Singh both resident of Vill.+ P.O.+ P.S., Konch, district Gaya directing the two noticee to

remove encroachment from plot no.5330, which is part of public road and no sooner the encroachments are removed, encroachment from the road including its shifting as directed by this Court under 2 order dated 5.1.2011 shall be made. Sri Ashutosh Singh, Advocate has appeared on behalf of Sri Umesh Singh and states that Umesh Singh wished to challenge the notice dated 4.1.2012 before the competent authority. As requested by the counsel for the Umesh Singh, I direct M/s Umesh Singh and Grijesh Singh to challenge the said notice before the competent authority, may be before the authority which had issued notice or before the competent civil court and obtain stay within a reasonable time not exceeding one month from today, failing which the authorities should proceed to remove the encroachment in the light of notice dated 4.1.2012. With the observation aforesaid, the contempt petition is disposed of. (V. N. Sinha, J.)
Rajesh/

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