

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1280 of 2015

In

Civil Writ Jurisdiction Case No. 19809 of 2012

=====

Mithelesh Kumar Singh, son of Late Ramdeo Singh Mohalla- Babu Bazar,
Gardanibagh, Post- Anisabad, District- Patna, Bihar.

.... Petitioner/s

Versus

1. The Patna Regional Development Authority now Patna Municipal Corporation through Jai Singh, the Municipal Commissioner, Patna Municipal Corporation.
2. Jai Singh, Municipal Commissioner, Patna Municipal Corporation.
3. Arti Kumari, State Officer, Patna Municipal Corporation.
All office at Maurya Lok Complex, P.S.- Kotwali, District-Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jai Ram Singh

For the Respondent/s : Mr. Hargovind Singh Himkar

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 23-09-2015 Heard the Counsel for the petitioner and Mr. S.P. Verma who has appeared on behalf of the Patna Municipal Corporation and its functionaries.

The application alleges willful/deliberate disregard/disobedience of the order dated 18.10.2012 passed in C.W.J.C. No. 19809 of 2012 whereby this Court directed as under:-

“Let the petitioner file a fresh application together with all relevant documents seeking mutation in respect of the subject land along with a copy of the present order within 03 weeks before the Municipal Commissioner, Patna Municipal Corporation (respondent no. 2) who shall consider the same and pass appropriate/reasoned order thereon in accordance with law as quickly as possible preferably within 04 weeks from the date of filing/presentation.

In the show cause, while submitting unconditional and unqualified apology for delay in disposal of the application, the opposite party has enclosed the reasoned order passed by the Municipal Commissioner (Annexure-A) rejecting the claim of mutation on the grounds/reasons stated therein.

Counsel for the petitioner made some submissions to challenge the correctness whereof.

In my view, the correctness of the order cannot be examined in contempt proceeding. The opposite party has complied with the order although belatedly for which apology has been sought by them. The Court accepts the apology.

The contempt application is dismissed. Dismissal of the application shall not preclude the petitioner from challenging the correctness thereof in appropriate forum/Court in accordance with law.

(Kishore Kumar Mandal, J)

Pankaj/-

U			
---	--	--	--