

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2110 of 2015

In

Civil Writ Jurisdiction Case No. 8158 of 2014

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Prabhakar Thakur Son of Late Bedanand Thakur, R/o Village Bhardh, P.S.
Kanchanpur, District Saptari (Nepal)

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Shyam Bihari Ram, the Chief Engineer, Water Resources Department, Purnea
3. Sri Sudhir Kumar, the Executive Engineer, Irrigation Division, Water Resources Department, Bathnaha, District Araria
4. Sri Mithilesh Kumar Ram, the Sub Divisional Officer, Store Sub Division, Koshi Project, Bathnaha District Araria

.... Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Janam Maharaj

For the Opp. Party/s : Mr. Binay Kr. Pandey, AC to G.A.-3

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-11-2015 Heard the parties.

The present MJC application has been filed on behalf of the writ petitioner raising a grievance that the order dated 25.08.2014 passed in CWJC No.8158 of 2014 has not been complied with; therefore, the opposite parties have committed contempt of this Court.

A show cause has been filed on behalf of the opposite party no. 3 to 5, wherein it has been stated that in the light of the aforesaid order of this Court, representation filed on behalf of the petitioner was considered and has finally been rejected by the Executive Engineer- Opposite party no. 3 by order dated 29.09.2014 (Annexure-C to the aforesaid show cause). Learned counsel appearing on behalf of the opposite parties further pointed out that against the aforesaid reasoned order date 29.09.2014 (Annexure-C), the petitioner filed a fresh writ petition giving rise

to CWJC No. 3789 of 2015, but the same was permitted to be withdrawn by a Bench of this Court by order dated 23.03.2015 (Annexure-D) with certain observations made therein.

In the aforesaid factual matrix, this Court is of the considered opinion that no case is made out for initiation of a proceeding of contempt against the opposite parties.

Accordingly, the present MJC application stands dismissed.

(Birendra Prasad Verma, J)

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