

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4277 of 2014

In
LPA 411 of 2014

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1. S.m. Ali Lmam
2. S.M. Zafar Imam
Both sons of Late S.M. Zareef Claming themselves Secretary and President
of A.N.M. Training School, Dr. S.M. Naqui Imam, Dental College and
Hospital, Bahera, Police Stateion Bahera, District -Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary namely Sri Deepak
Kumar, Govt. of Bihar, Health Department, New Secretariat, Patna
2. Dr. R.B. Ranjan, Director in Chief, Health Services, Health Department,
New Secretariat, Patna
3. Bihar Nurses Registration Council, Vikash Bhawan, New Secretariat,
Bailey Road, Patna through its Registrare, namely Smt. Munmun Mishra
4. Smt. Munun Mishra, The Registrar, Bihar Nurses Registration Council,
Vikash Bhawan, New Secreetarit, Bailey Road, Patna.
5. Mr. Chitranjan Singh, The Inspector General Registration, Govt. of
Bihar, Patna
6. Mr. Mani Bhushan Prasad, the Assistant Inspector General Registration,
Darbhang Division, Darbhanga
7. S.M. Naiyer Imam Son of Late Md S.M. Zareef Secetary, A.N.M.
Training School, Dr. S.M. Naqui Imam Dental College and Hospital,
Bahera, Police Station Bahera, District - Darbhanga at present residing at
101B, High Tech Apartment Road No. 3, New Patliputra Colony, Police
Station Patliputra District - Patna - 13

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sarva Deo Singh, Advocate
For the State : Mr. Sanjiv Kumar, A.C. to S.C.- 1
For the University : Mr. A.B. Sinha, Advocate
For the O.P. No. 4 : Mr. J.P. Karan, Advocate
Mr. Ranjan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

2 06-04-2015 Heard learned counsel for the petitioners and the

learned counsels for the State as well as the Opposite party–Bihar

Nurses Registration Council.

The petitioners prays for initiating a proceeding of contempt for non-compliance of the order dated 04.08.2014 passed in L.P.A. No. 411 of 2014 by this Court, not by the opposite parties of the case but by the Lalit Narayan Mithila University and its officials who were not parties to the Letters Patent Appeal or the writ petition out of which it had arisen. Since the University was not a party, no direction appears to have been given to it in the said order dated 04.08.2014 of this Court while disposing of the appeal.

The petitioners have filed an Interlocutory Application on 05.11.2014, but the office of this Court has not taken sufficient care to give number before placing it on the record.

In the said I.A. prayer has been made to implead the officials of the University as opposite parties on the basis of the notification issued by the University which has been placed at Annexure-2 in the I.A.

Apart from the fact that there was no direction to the University in the order under contempt, we do not find anything in the order under contempt from which the said notification can be held to be in the face of the order passed in the L.P.A. or in

disobedience of the same. The contempt application is accordingly dismissed. However, the petitioner may take recourse to the appropriate proceedings in accordance with law.

(Ramesh Kumar Datta, J)

(Anjana Mishra, J)

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