

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.4717 of 2013**

**In**  
**Civil Writ Jurisdiction Case No. 4134 of 2013**

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VISHWANATH PRASAD Son of Late Ramawtar Prasad Resident of Rajiv Nagar , Road No. 19, Madhu Niwas , Police Station - Dhigha in the district of Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar through Mr. Ashok Kumar Singh , the Chief Secretary , State of Bihar , Patna. son of not known to the petitioner,
2. Mr. Amir Subhani , the Principal Secretary , Home ( Jail ) Department , Patna. son of not known to the petitioner,
3. Mr. Anand Kishore, , The Inspector Genereal of Prison , Old Secretariat , Patna. son of not known to the petitioner,
4. Mr. Satyendra Nath Srivastava , The Joint Secretary -cum-Director (Administration) , Jail Inspectorate , Home ( Prison) Department , Patna son of not known to the petitioner,

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar

For the Respondent/s : Mr. Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

4      22-04-2015                      Heard learned counsel for the parties.

Having found from the show-cause reply that the order of this Court has been complied by way of passing a final order in departmental proceeding on 24.2.2015, this contempt application essentially seems to have become infructuous.

The only issue on which this Court is not satisfied is that such departmental proceeding had to be concluded by 31.10.2013 whereas the departmental proceeding has been concluded only on 24.2.2015 i.e. exactly almost one and half years from the scheduled time fixed by this court.

There is no plausible much less acceptable explanation for such a huge delay. If there was any impediment in disposal of the departmental proceeding on account of change of enquiry officer or for some other allied reason the respondents ought to have approached this Court seeking extension of time but, then, they could not have sat over the order of this Court and that too for a period of almost one and half years. The order which has been passed on 24.2.2015 in fact is only on filing of the contempt application on 9.9.2013 and the order of this Court dated 16.1.2015.

In that view of the matter, while dropping the contempt proceeding, this Court would strictly warn the Home Commissioner as also the Inspector of Police (Prison) to remain very careful in future in not only complying the order of this Court but also within the prescribed period of time.

With the aforementioned observation, this application is disposed of.

The personal appearance of Mr. Satyendra Nath Srivastava, I.G. (Prison) cum Additional Secretary cum Director, Jail (Administration) is dispensed with.

**(Mihir Kumar Jha, J)**

Rishi/-

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