

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2084 of 2015

In

Civil Writ Jurisdiction Case No. 14649 of 2013

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1. Sayed Khabbir Hassan s/o Late Sayed Shabbir hassan Resident of Village
Brahmpura Siya Masjid, Police Station Brahmpura, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Navin Kumar, the Chief Engineer, Building Construction Division,
Muzaffarpur.
3. Mr. B.P. Singh, the Superintending Engineer, Building Construction
Division, Muzaffarpur.
4. Mr. Sri Niwas, the Executive Engineer, Building Construction Division,
Muzaffarpur.

.... Contemnors/opp. parties.

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with

Miscellaneous Jurisdiction Case No.2085 of 2015

IN

Civil Writ Jurisdiction Case No. 12993 of 2013

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1. Sayed Khabbir Hassan S/o Late Sayed Shabbir Hassan Resident of
Village Brahmpura Siya Masjid, Police Station Brahmpura, District
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Navin Kumar, the Chief Engineer, Building Construction Division,
Muzaffarpur.
3. Mr. B.P. Singh, the Superintending Engineer, Building Construction
Division, Muzaffarpur.
4. Mr. Sri Niwas, the Executive Engineer, Building Construction Division,
Muzaffarpur.

.... Contemnors-opp. parties

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with

Miscellaneous Jurisdiction Case No.2086 of 2015

IN

Civil Writ Jurisdiction Case No. 8165 of 2013

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1. Sayed Khabbir Hassan S/o Late Sayed Shabbir Hassan Resident of
Village Brahmpura Siya Masjid, Police Station Brahmpura, District
Muzaffarpur.

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. Mr. Navin Kumar, the Chief Engineer, Building Construction Division, Muzaffarpur.
- 3. Mr. B.P. Singh, the Superintending Engineer, Building Construction Division, Muzaffarpur.
- 4. Mr. Sri Niwas, the Executive Engineer, Building Construction Division, Muzaffarpur.

.... Contemnors-opp. parties

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with

Miscellaneous Jurisdiction Case No.2093 of 2015

IN

Civil Writ Jurisdiction Case No. 8428 of 2013

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- 1. Sayed Khabbir Hassan S/o Late Sayed Shabbir Hassan Resident of Village Brahmpura Siya Masjid, Police Station Brahmpura, District Muzaffarpur.

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. Mr. Navin Kumar, the Chief Engineer, Building Construction Division, Muzaffarpur.
- 3. Mr. B.P. Singh, the Superintending Engineer, Building Construction Division, Muzaffarpur.
- 4. Mr. Sri Niwas, the Executive Engineer, Building Construction Division, Muzaffarpur.

.... Contemnors-opp. parties

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Appearance :

(In MJC No.2084 of 2015)

For the Petitioner/s : Mr. Pancham Lal Jaiswal

For the Contemnors-opp. parties : Mr. G.P. Ojha GP-22

(In MJC No.2085 of 2015)

For the Petitioner/s : Mr. Pancham Lal Jaiswal

For the Contemnors-opp. parties : Mr. Ajay, GA-12

(In MJC No.2086 of 2015)

For the Petitioner/s : Mr. Pancham Lal Jaiswal

For the Contemnors-opp. parties : Mr. Kumar Priyaranjan SC-23

(In MJC No.2093 of 2015)

For the Petitioner/s : Mr. Pancham Lal Jaiswal

For the Contemnors-opp. parties : Mr. Mithilesh Kumar Pathak SC-7

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

contempt applications and the respective State counsels.

Show causes have been filed in some of the applications. The Court shall refer to the show cause filed in MJC No. 2084 of 2015 which arise out of CWJC No. 14649 of 2013 which was disposed of along with another writ case. Rest of the contempt applications arise out of another common but similar order passed in batch of other five writ petitions. While disposing of the writ petitions, this Court noticed that a stale claim is being raised by the petitioners. However, considering the stand taken by the parties, the writ application was disposed of in the following terms:-

“Let the petitioners file appropriate representation(s) before the concerned Chief Engineer ventilating the aforesaid grievance within three weeks. In the event of filing such a claim or representation supported by all the documents in possession of the petitioner as also a copy of the present order, the said respondent shall consider and dispose of the same in accordance with law expeditiously. Depending on the said decision of the concerned Chief Engineer, the respondent shall take steps for payment of the remaining dues, if any.”

In the show cause filed on behalf of the opposite party no.4, copy of the order passed on 6.7.2015 (Annexure-A) has been enclosed whereby the Chief Engineer, considering the



representation of the petitioner(s) disposed of the same denying the claim raised by the petitioner(s). Counsel for the State on the basis of the reasonings assigned in the order has submitted that the order of this Court has been complied with. He also contended that some of the applications/representations were not filed before the opposite party within the time granted by this Court.

Mr. Jaiswal, appearing in support of the applications has made submission to challenge the reasoning(s) assigned in the order.

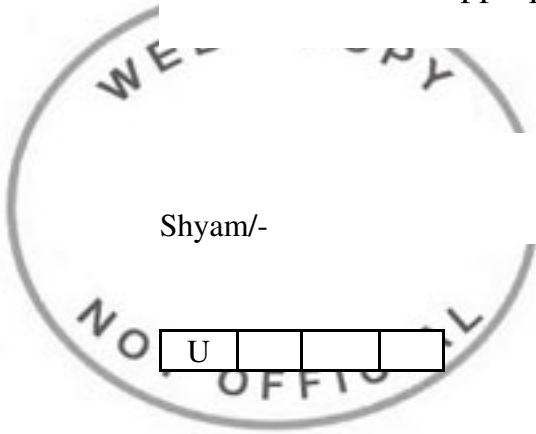
In contempt jurisdiction legality or otherwise of the order would not be gone into. The Court would only see whether the authorities have acted in wilful/deliberate disregard/disobedience of the order of this Court.

Considering the order which the Court passed on the writ petition and the statements made in the show cause as also Annexure-A enclosed to the show cause disposing of the representation(s) of the petitioners, I am satisfied that the opposite parties have not deliberately acted in breach of the order of the Court. The order passed on the writ petition has been complied with.

Contempt applications are dismissed.

Dismissal of these applications shall not preclude the

petitioners from raising their grievance, if any, before the appropriate forum/authority in accordance with law.



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(Kishore Kumar Mandal, J)