

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.288 of 2014

IN

LPA No. 852 of 2010

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Sushil Kumar Mishra, S/O Shri Kameshwar Mishra, Resident of Mohalla Teacher's Colony, Purnia, P.S. Khanjanchi Hat, District Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Amarjit Sinha, S/O not known the Principal Secretary, H.R.D. Development Department, Vikash Bhawan at Patna.
3. Mr. Raj Mani Singh, S/O not known the Chairman, Bihar School Examination Bihar, Patna.
4. Mr. Ashutosh Kumar, S/O not known the Secretary Bihar School Examination, Bihar, Patna.
5. Mr. Chandra Mohan Barua, S/O not known the Principal-Cum-Internal, Teachers Training College, Kishanganj.
6. Sri Shambhu Nath Sharma, the Incharge Principal Primary Teachers Training College, Kishanganj.
7. Sri Birendra Narayan Singh, the then Lecturer Primary Teachers Training College, Kishanganj.
8. Sri Binay Kumar Mandal, the then Lecturer Primary Teachers Training College, Sri Nagar, at present posted as Lecturer Primary Teachers Training College, Sri Nagar Purnia.
9. Ali Ahmad, Lecturer, Primary Teachers Training College, Kishanganj.

.... Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opp. Party/s : Mr. Nasim Yahya, Advocate

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

Date: 22-01-2015

It is admitted by the counsel for the contempt petitioner that the order of this Court dated 11.04.2012, passed in L.P.A. No. 852 of 2010 has been stayed in Civil Review No. 209 of 2013.

2. As the order of the High Court under contempt has already been stayed, no useful purpose will be served by keeping this contempt petition pending, as it is agreed by the counsel for the contemnor opposite party that if review petition fails and is dismissed the contemnor opposite party should not approach the Supreme Court as the challenge made against the original order by the contemnor opposite party has failed because they chose to withdraw the Special Leave Petition.

3. In view of the aforesaid, we deem it appropriate to dispose of the contempt petition with liberty to the petitioner to file short contempt petition if order under contempt is not complied with even after dismissal of the review petition.

(V.N. Sinha, J)

(Rajendra Kumar Mishra, J)

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