

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2731 of 2013

IN

Civil Writ Jurisdiction Case No. 2274 of 2013

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Rakesh Kumar, aged about 35 Years, son of Late Ranjan Lal, resident of Ward No. 42, Amrudin Gali, Nala Road, Near Dinkar Chauraha, P.S. Kadam Kuna, District Patna.

.... Petitioner.

Versus

1. Dr. N. Sarvaran Kumar, the Collector-Cum-District Magistrate, Patna.
2. Mannu Mahraj, the Senior Superintendent of Police, Patna.
3. Jai Kant, the City Superintendent of Police, Patna.
4. Sanjay Kumar, the Officer-in-Charge, Kadam Kuan, P.S., District Patna.
5. Mahendra Prasad Gupta, the Circle Officer, Patna Sadar, District Patna.
6. Kuldeep Narayan, the Municipal Commissioner-Cum-the Chief Executive Officer, Patna Municipal Corporation, Budh Marg, Patna.
7. Shailesh Kumar, the Executive Officer, Bankipur Circle, Municipal Corporation, Patna.
8. Sudhir Kumar Singh, the Managing Director, COMFED (Cooperative Milk Produces Federation), Patna.
9. The State of Bihar.

.... Respondents/Opposite Parties.

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Appearance :

For the Petitioner : M/s. Raj Kumar Rajesh and Girish Chandra, Advocates.
For the State : Mr. Sanjeev Kumar, AC to SC-I
For the Patna Municipal Corporation : Mr. Ranjeet Kumar Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 10-03-2015

Heard the parties.

2. The present contempt application has been filed asserting the non compliance of the order dated 12.02.2013 passed in C.W.J.C. No.2274 of 2013, which was disposed of with a direction to the Municipal Commissioner, Patna Municipal Corporation to take steps for placing the matter before the Standing Committee of the Corporation for its consideration and for

appropriate decision in accordance with law in the matter at the earliest.

3. Learned counsel appearing on behalf of the Patna Municipal Corporation submits that in compliance of the order dated 12.02.2013 passed in C.W.J.C. No.2274 of 2013, which is under contempt, the opposite party no.6, the Municipal Commissioner-cum-the Chief Executive Officer, Patna Municipal Corporation, Budh Marg, Patna, prepared agenda note and recommended for placing before the empowered Standing Committee of the Corporation for its consideration and for appropriate decision in the matter in accordance with law vide Agenda Note dated 05.09.2014, which would appear from paragraph-9 to the show cause filed on behalf of the opposite party no.6, the Municipal Commissioner-cum-the Chief Executive Officer, Patna Municipal Corporation, Budh Marg, Patna. As such, the order under contempt has been complied with.

4. On the other hand, learned counsel for the petitioner submits that no decision in the matter has been taken as yet.

5. Since the order under contempt has been complied with, no action is required to be taken against the concerned opposite party(s). Accordingly, this contempt application stands disposed of. However, the petitioner, if he has any grievance, would be at liberty to take recourse in accordance with law before the appropriate forum to raise his grievance.

(Rajendra Kumar Mishra, J)

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