

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No 363 of 2008

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Kamal Kumar Taneja, son of Shri R C Taneja, resident of Mohalla –
Mulchand Road, Police Station – Samastipur, District - Samastipur
..... Petitioner/s

Versus

- 1 The State of Bihar through the District Magistrate, Samastipur, namely,
Dr N Sarban Kumar
- 2 The District Magistrate, Samastipur, namely, Mr Asangbo Chubin Ao
son of Sri Chubond Orgen Ao
- 3 The Subdivisional Magistrate, Samastipur
- 4 The Superintendent of Police, Samastipur, namely, Mr Surendra Lal
Das, son of late Harigobind Das
- 5 The Officer-in-charge, Samastipur Town Police Station
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan
Mr. Sanjay Kumar Singh

For the Respondent/s : Mr. (Sci)

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

4 24-11-2015

Heard the parties.

On perusal of the show cause, I find that there is no contempt committed by the authorities. Petitioner had moved the writ petition for a direction to the authorities for grant of arms license. Writ Court disposed of the writ petition directing the authorities to pass appropriate order immediately. The authorities then examined the matter and found that two years prior to the disposal of the writ petition itself, final order had been passed in the Arms Act application case yet they passed fresh order again directing the petitioner to file fresh application. The petitioner

instead moved this contempt application in which he himself has annexed Annexure 3, the communication of the District Magistrate clearly stating that two years prior to the disposal of the writ petition, a counter affidavit had been sworn disclosing that his application for arms licence has been rejected. Learned counsel states that no such counter affidavit has been filed. The question is not whether counter affidavit has been filed or not? The question is whether any contempt has been committed?

In my view, there is no contempt being committed by the opposite parties.

This application is accordingly dismissed.

(Navaniti Prasad Singh, J)

M.E.H./-

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