

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.571 of 2010

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1. All India Post And Telegraph Sc/St Employees Welfare Association (Regd.) Bihar Circle, Patna through its Secretary, Namely Nawal Kishore Prasad S/o Shree Hulas Prasad, R/O Moh- Chandpur Bela, Jakkanpur, P.S- Jakkanpur, Distt- Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Mr. Anitabh Verma the Commissioner/Cum-Secretary, Department of Co-operative, Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna
3. Mr. Narsingh Upadhyay, the Registrar, Department of Co-operative Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna
4. Mr. Ashish Kuamr Jha, the Assistant Registrar (A.R) Co-operative Societies-Cum-Returning Officer, Department of Co-operative, Govt. of Bihar, Vikas Bhawan, New Secretariat, Patna
5. Mr. Muzibur Rahman, the District Co-Operative Officer, Patna, Distt- Patna
6. Mr. Upendra Kumar Tiwari, the President of Bihar Post and Telegraphs Co-Operative Society Ltd. G.P.O. Campus, Patna
7. Mr. Chandreshwar Singh, the Secretary, the Bihar Posts and Telegraph Co-Operative Society Ltd. G.P.O. Campus, Patna
8. Mr. Baban Singh, the Manager, Arokta Samiti the Bihar Posts And Telegraphs Cooperative Society Ltd. G.P.O. Campus, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Advocate

For the State : Mr. Shiv Kumar, A.C. to G.A.-VII

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

2 19-08-2015 The writ petition was allowed with a direction to the Registrar Co-operative Society to comply the reservation policy as applicable in the case of Co-operative and is being implemented. Allegedly, this not having been done, this application was filed for initiating contempt proceeding.

A show cause has been filed stating therein that the reservation policy, as applicable, has already been notified

and implemented, but, unfortunately, no order has been brought on record to substantiate the same. However, learned counsel for the petitioner prays that though policy has already been notified, it is not being acted upon.

In my view, if a policy has been made and is being applied, but it is not being acted upon in any manner, that would give liberty to the petitioner to move before appropriate authority for enforcement of such notifications afresh. It would be certainly not a case of contempt in relation to the order passed by this Court. Liberty is granted to the petitioner to move before the appropriate authority so that the notifications are enforced into law or spirit.

With this observation, this application is disposed off.

(Navaniti Prasad Singh, J)

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