

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4144 of 2014

In
Miscellaneous Jurisdiction Case No. 2188 of 2013

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1. Ashok Kumar S/O Satya Narain Yadav R/O Village+ P.O.+P.S.- Janki Nagar, District- Purnea.
2. Satyendra Singh S/O Sri Yamuna Singh R/O Jai Prakas Nagar (West), P.S.- Jakkanpur, Dist.- Patna.

.... Petitioner/s

Versus

1. Shri Phool Singh S/O Late Ramswaroop Div. Commissioner-cum-Chairman, Bihar State Beverages Corporation Ltd. Bidhut Bhawan II 1st Floor, Jawahar Lal Nehru Marg, Patna.
2. Shri B. Rajendra S/O Late B. Ganga Ram Managing Director, Bihar State Beverages Corporation Ltd. through its Chairmain, Bidhut Bhawan II 1st Floor, Bhawan Lal Nehru Marg, Patna.

.... Opposite Parties/s

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Appearance :

For the Petitioner/s : Mr. S.M. Shabbir Alam, Advocate
For the Opp.Parties/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-02-2015

Heard.

2. The petitioners have filed the present application seeking restoration of MJC No. 2188 of 2013, which was filed for initiation of a proceeding of contempt against the opposite parties with an allegation that the order dated 08.01.2013 passed by this Bench in CWJC No. 21075 of 2012 has not been complied with by the authorities concerned. If the aforesaid order has not been complied with by the authorities, even by now, the opposite parties may be held guilty for committing the continuing offence of contempt subject to filing of fresh contempt petition, but all the subsequent and latest developments have not been brought on the record by the petitioners.

3. In above view of the matter, this Court is of the opinion that in stead of restoring aforesaid MJC No. 2188 of 2013

to its original file, the interest of justice shall be subserved if the petitioners are granted liberty to file a fresh contempt petition in the same subject matter after bringing on record all the subsequent and latest developments which have/might have taken place after 03.04.2013, when the aforesaid MJC No. 2188 of 2013 was filed. It is ordered accordingly.

4. If such a contempt petition is filed on behalf of the petitioners in the same subject matter within a period of two months from today, then the same shall be considered and decided in accordance with law without being prejudiced or influenced by the present order or any order passed in the aforesaid MJC No. 2188 of 2013 which stood dismissed on account of non-compliance of the court's peremptory order.

5. The present MJC application stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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