

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3361 of 2014

In
Civil Writ Jurisdiction Case No. 10947 of 2008

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Sanjay Yadav S/o Deo Yadav, Resident of Village- Lal Darwaja, P.S.-
Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar through Sri Aswani Singh, the Chief Secretary, Govt.
of Bihar, Patna.
2. Sri P.K. Thakur, D.G. cum I.G. of Police, Bihar, Patna.
3. Sri Sudarsan Kumar, D.I.G. of Police, Munger Range, Munger.
4. Sri Varun Kumar, S.P., Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shruti Sinha
For the Respondent/s : Mr. P.K. Verma

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 31-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is making prayer for
issuance of a Court of contempt proceeding violating the order
dated 29th April 2013 passed in CWJC No. 10947 of 2008 by
which the Court has given following direction:-

“Both parties have admitted that the said
process has not yet been completed and the
authorities are still considering the same. In the said
circumstances, this Court also thinks it proper to give
a direction to the Chief Secretary, State of Bihar for



issuance of direction to the Director General of Police to ask the authorities to look into the matter of the petitioner also and to find out as to whether any NCC-C certificate or any copy thereof had been filed by the petitioner and is part of the said record and if any such certificate was filed by the petitioner at the relevant time, the petitioner shall also be considered to be declared eligible as per the regular recruitment process for the post of constable. The entire process shall be completed within a period of six months from the date of receipt/production of a copy of this order.”

In pursuance thereof, the D.I.G., Munger Region, Munger, vide Memo. No. 1139/ G.S. dated 23rd May 2014, considered the case of the petitioner, did not find any merit and rejected the same.

Counsel for the petitioner submits that it is a mechanical order without application of the real fact.

This Court cannot convert this proceeding in the writ application. The petitioner, if so advised, may take a legal recourse challenging the order passed by the D.I.G., Munger Region, Munger vide Memo. No. 1139/ G.S. dated 23rd May 2014

in an appropriate proceeding.

With the above observation/direction, this contempt application is dismissed.

(Shivaji Pandey, J)

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