

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.559 of 2014

In

Civil Writ Jurisdiction Case No. 17122 of 2013

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Satyendra Kumar Keshari Son Of Sri Krishna Prasad Keshari Proprietor Of
M/S Kaimur Food Product, At Barahuli, P.O. Bhatti, P.S. Mohania, District
Kaimur (Bhabua), Presently Residing At Eastern Side Of Referral Govt.
Hospital, Mohaniya, Beside G.T. Road, P.O.+P.S. Mohania, District-
Kaimur(Bhabua)

.... Petitioner/s

Versus

1. Arvind Kumar Singh, the District Magistrate-Cum-Collector, Kaimur, Bhabua
2. Sunil Dutta Jha, the Certificate Officer-Cum-Senior Deputy Collector, Kaimur (Bhabua)

...Respondents- O.P. 1st Set

3. Dinesh Prasad Singh, the District Manager Bihar State Food and Civil Supplies Corporation, Kaimur, (Bhabua)
4. Thakur Prasad Paswan, the Manager Bihar State Food and Civil Supplies Corporation Centre, Mohania, Kaimur (Bhabua)
5. Thakur Prasad Paswan, the Supervisor, Bihar State Food and Civil Supplies Corporation Centre, Mohania, Kaimur (Bhabua)
6. Thakur Prasad Paswan, The Assistant Godown Manager, Bihar State Food And Civil Supplies Corporation Centre, Mohania, Kaimur (Bhabua)
7. Thakur Prasad Paswan, the Purchase Incharge, Bihar State Food and Civil Supplies Corporation Centre, Mohania
8. Jagdish Singh, the Manager Bihar State Food and Civil Supplies Corporation Centre, Kudra, Kaimur (Bhabua)
9. Jagdish Singh, the Supervisor, Bihar State Food and Civil Supplies Corporation Centre, Kudra, Kaimur (Bhabua)
10. Jagdish Singh, the Assistant Godown Manager, Bihar State Food and Civil Supplies Corporation Centre, Kudra, Kaimur (Bhabua)
11. Jagdish Singh, the Purchase Incharge, Bihar State Food and Civil Supplies Corporation Centre, Kudra, Kaimur (Bhabua)

.... Respondents-O.P.2nd Set

Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey

For the Respondent/s : Mr. Sunil Kumar Mandal

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 11-03-2015

Heard Mr. Pandey for the petitioner and the State.

The application seeks initiation of contempt



proceeding against the opposite party for having wilfully/deliberately disregarded/violated the order dated 13.0.2013 passed in CWJC No. 17122 of 2013 which was considered along with analogous writ petitions. This Court by the said order permitted the petitioner to approach the Collector for resolution of the dispute/issue in the light of the order passed in CWJC No. 3674 of 2013 and analogous matters. It was further observed that pendency of the application will not preclude the petitioner either from paying the cost of CMR as fixed by the respondent State and/or filing objection under section 9 of the Bihar & Orissa Public Demands Recovery Act, 1914 in the pending certificate case. A further direction was issued that until consideration of the matter by the respondent Collector in the light of the present order no coercive step shall be taken against the petitioner in the pending certificate case.

The contention of the petitioner is that an FIR has been lodged by the District Manager, Bihar State Food and Civil Supplies Corporation, Kaimur (Bhabua) who was the requisitioning authority.

Looking to the order dated 13.09.2013 passed by this Court it appears that this Court had only prevented the respondent from taking any coercive steps in the pending certificate case. It is

not the case of the petitioner that any coercive steps has been taken by the concerned authority/respondent in the certificate case. In that view of the matter, this Court is not satisfied that a prima facie case of contempt having been committed by the opposite party has been made out.

The contempt application is dismissed.

(Kishore Kumar Mandal, J)

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