

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4642 of 2013

In

Civil Writ Jurisdiction Case No. 1953 of 2013

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Lalan Singh, S/o late Ramadhar Singh, R/o Village Baradhi Khurd, P.S.
Dinara, Dist. Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Bandana Preyashi, Director, I.C.D.S., Indra Bhawan, Baily Road,
Patna.

.... Opp. Parties

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Vermam , Adv.

For the Respondent/s : Mr. Rishiraj Sinha, GP-19

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-01-2015

Heard learned counsel for the parties.

Having regard to the fact that the opposite parties have disposed of the representation of the petitioner vide memo no. 4734 dated 13.9.2013 and have taken a clear and categorical decision in its show cause reply in support of their plea of compliance of the direction given by this Court in the order dated 31.1.2013 in CWJC No. 1953 of 2013, there would be no case for this Court now to continue with this contempt proceeding.

Learned counsel for the petitioner, however, has submitted that neither the petitioner nor he himself were appraised of the aforesaid order dated 13.9.2013 prior to this date.

In the considered opinion of this Court, when the office order clearly contains an endorsement of communication to

the petitioner on the address which has been given in this contempt application, it would be very difficult for this Court to accept the submission that the petitioner was not communicated of the aforesaid decision of the Director, I.C.D.S. dated 13.9.2013 (Annexure-A).

Be that as it may, this Court is not inclined to initiate a proceeding of contempt against opposite parties especially when it has found that the direction given in the connected writ application has been complied by the opposite parties in letter and spirit.

That being so, this application has become infructuous and is, accordingly, disposed of.

Nothing said in this order will, however, come in the way of the petitioner to take further steps as against the order passed by the Director, I.C.D.S. as may be permissible in law.

(Mihir Kumar Jha, J)

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