

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3291 of 2016

In
Miscellaneous Jurisdiction Case No. 3948 of 2013

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Uday Shankar Prasad, son of Late Bishnu Kumar Prasad, resident of
village- Dhobia Kalapur, P.S. Naubatpur, District- Patna

.... Petitioner

Versus

1. The State of Bihar
2. Superintendent, Jawaharlal Nehru Medical College Hospital, Bhagalpur

.... Opp.Parties.

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2016

Heard.

The present petition has been filed with a prayer to modify the order dated 21.01.2015, whereby in two contempt petitions i.e. M.J.C.No.3948 of 2013 and M.J.C.No.3944 of 2013, on joint prayer, it was directed to list both the cases after disposal of SLP(C) CC No.29303 of 2014, whereas the present petition has been filed for modifying the order passed in M.J.C.No.3948 of 2013.

It was submitted by learned counsel for the petitioner that against the order of the writ court, no appeal has been preferred and, as such, for disposal of M.J.C.No.3948 of 2013, there is no point to await the order in SLP (C) CC No.29303 of 2014. However, on query, it was accepted by learned counsel

for the petitioner that the contempt petition i.e. M.J.C.No.3948 of 2013 is in relation to violation of common order passed by a Bench of this Court dated 06.10.2009. By the said order, petitioners' writ petition along with other number of writ petitions were allowed. He accepts that in some of the writ petitions, appeal is pending before the Hon'ble Apex Court and one of the cases is SLP (C) CC no.29303 of 2014.

Since arising out of the common order, the matter is pending before the Hon'ble Apex Court, there is no reason to modify my earlier order.

The Modification Petition stands dismissed.

(Rakesh Kumar, J)

NKS/-

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