

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3210 of 2016

In

Civil Writ Jurisdiction Case No. 10224 of 2016

- =====
1. Umesh Sah Son of Shri Basuri Sah, resident of village - Jeeradai, P.O. and P.S. Jeeradai, Distt. - Siwan.
 2. Jeeradai Prakhand Matsyajivi Sahyog Samiti Ltd. Jeeradai through its Secretaary Umesh Sah Son of Shri Basuri Sah, resident of village - Jeeradai, P.O. and P.S. Jeeradai, Distt. - Siwan

.... Petitioners

Versus

1. The State of Bihar.
2. Shri Amrit Lal Meena, the Principal Secretary, Co-operative Department, Bihar, Patna.
3. Shri Narendra Prasad Mandal, the Registrar Co-operative Societies, Bihar, Patna.
4. Shri Chandra Sheikhar Singh, the Joint Registrar Co-operative Societies, Saran Division, Chhapra.
5. Shri Shashi Bhushan Kumar, the District Co-operative Officer, Siwan.
6. Shri Manish Kumar Srivastava, the District Fisheries Officer-cum-Chief Exeuctive Officer, Siwan.
7. Laddu Sah son of Late Khodai Sah resident of village and P.O. and P.S. – Jeeradai, Distt - Siwan.s

.... Respondents

=====

Appearance :

For the Petitioner	:	Ms Mahasweta Chatterjee, Advocate
For the State	:	Mr. Subodh Kumar, A.C. to S.C.26
For the O.P. No.7	:	Ms Priya Gupta, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 19-10-2016 Heard Ms. Mahasweta Chatterjee, learned counsel for the petitioner, Mr. Subodh Kumar, learned A.C. to S.C.26 and Ms Priya Gupta, learned counsel appearing for the opposite party no.7.

This contempt petition has been filed complaining of violation of the interim order passed by this Court on 12.7.2016 in C.W.J.C. No.10224 of 2016. According to the petitioner, by virtue

of the interim order passed by this Court, though the committee led by the petitioner was restored but the interim order was not being complied with by the authorities in the cooperative department.

A show cause has been filed by the District Co-operative Officer and the District Fishery Officer, separately, who submit that no sooner the communication regarding the interim order was received by them that it has been implemented and the status of the body has been restored and the Parwana issued in favour of the Adhoc Committee has since been withdrawn.

Ms. Mahasweta Chatterjee, learned counsel for the petitioner, while agreeing to this position, submits that the body though restored, is not being allowed to function and a letter has been enclosed by the District Fishery Officer purportedly written by the petitioner undertaking to withdraw the contempt application, which is a forged document and the petitioner has instituted a criminal case in this regard. Ms. Chatterjee, learned counsel for the petitioner, however, admits that the interim order has since been given effect to but the Committee is not being allowed to function.

Be that as it may, considering that the body headed by the petitioner has since been restored, any grievance raised by

the petitioner as regarding violation of the interim order, is put to rest. In so far as obstruction in the function of the body is concerned, the same can well be raised by the petitioner in the pending writ petition but in the circumstances where the interim order has been given effect to by the restoration of the body headed by the petitioner nothing survives in the contempt application, which is, accordingly, disposed of.

(Jyoti Saran, J)

N.H./-

U			
---	--	--	--