

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3810 of 2016

In
Civil Writ Jurisdiction Case No. 9505 of 2015

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1. Tejnarayan Pathak son of Sri Bikrama Pathak Resident of Village -
 Saisar, P.O. - Saisar, P.S. - Dinara, District - Rothas, Pin Code - 802117.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Mr. R. K. Mahajan,
 father name not known Health Department, Government of Bihar, Patna.
2. Mr. Shashi Bhushan Kumar father name not known The Director, Bihar
 State Health Society Mission, Patna.
3. Mr. Rajeshwar Prasad Singh father name not known District Magistrate-
 cum-President District Health Society Selection Committee, Kaimur at
 Bhabua.
4. Dr. K.B. Singh father name not known Civil Surgeon-cum-Secretary,
 District Health Society, Bhabua.
5. Mr. Rajnish Patel son of Sri Kedar Singh Physiotherapist, Sadar Hospital,
 Bhabua.
6. Mr. S.H.S. Sinha father name not known Executive Director, State Health
 Society, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Respondent/s : Mr. Aag9 S. D. Yadav

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
 PRATAP SINGH**
ORAL ORDER

- 3 21-12-2016 The instant contempt application has been filed for alleged
 non-compliance of the order, dated 9.2.2016 passed by this Court
 in C.W.J.C. No.9505 of 2015. The petitioner filed writ petition for
 setting aside the order, dated 30.5.2015 passed by the Civil
 Surgeon-cum-Secretary, District Health Society, Kaimur at
 Bhabua. The writ petition was disposed of by order dated 9.2.2016
 with a direction to respondent No.6, namely, the Executive
 Director, State Health Society, Bihar, Patna, to dispose of the



appeal of the petitioner within four months.

Learned counsel for the State submits that as appropriate authority in the matter was District Magistrate, who is also the Chairman of the District Health Society, Kaimur, the Executive Director transferred the case record to him. On receipt of the same, the District Magistrate-cum-Chairman, District Health Society, Kaimur has disposed of the appeal of the petitioner.

Learned counsel for the petitioner submits that the order ought to have been passed by the Executive Director and not by the District Magistrate-cum-Chairman, District Health Society, Kaimur.

This contempt application is disposed of with liberty to the petitioner to take all these points while challenging the order dated 9.12.2016, as contained in Annexure-A, if so advised.

(Samarendra Pratap Singh, J)

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