

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1789 of 2016

M/s Diamond Construction,through the Proprietor, Shri Satendra Kumar, son of Late Brij Kishore Prasad, resident of Mohalla Sahyogpuri 2, P.O. Chitragupta Nagar, P.S. Kankarbagh, District Patna.

.... Petitioner

Versus

1. The State of Bihar through Mr. Chaitanya Prasad, son of not known to the petitioner, presently posted as Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. Sri Shirshat Kapil, son of not known to the petitioner, presently Municipal Commissioner, Patna Municipal Corporation, Maurya Lok Complex, Patna, District Patna.

.... Opposite Parties

Appearance:

For the Petitioner : Mr. S.B.K.Mangalam, Advocate
For the Opposite Parties :

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 30-11-2016

Heard learned counsel for the petitioner and learned counsel for the opposite parties.

2. The present petition has been filed for initiating a contempt proceeding against the opposite parties for willful disobedience of the order of this Court dated 12.01.2016 passed in CWJC No. 5290 of 2014 requiring the authorities to consider the petitioner's case and taking decision at their end.

3. A show cause has been filed on behalf of the OP No. 2 enclosing therewith a copy of memo no. 5210 dated 05.05.2016 (Annexure-A) which discloses that the representation of the petitioner could not be considered as the same had been filed beyond the period of two weeks within which the same was required to be filed in terms

of the order of this Court.

4. Learned counsel for the petitioner submits that the small delay in filing the representation was by reason of circumstances beyond the control and ought to have been condoned by the opposite parties.

5. Having considered the facts and circumstances of the case, this Court is not satisfied that the opposite parties have willfully disobeyed the order of this Court. It is also well settled that this Court in its contempt jurisdiction cannot extend the scope of the order passed by the writ Court.

6. The contempt petition accordingly stands disposed of with the observation that the petitioner is always at liberty to approach the opposite parties for redressal of its grievances particularly in view of the submissions on behalf of the petitioner that other similarly situated persons have been granted relief.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
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