

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.254 of 2013

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Rudra Nand Choudhary S/O Ramnath Singh R/O Village - Ram Paresh,
P.O. Ram Paresh, Naugachhia, P.S. Naugachhia, District - Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary Co - Operative Dept.
Namely Sri Atul Prasad, I.A.S.
2. The Managing Director, Bihar State Co - Operative Land Development
Bank, Budh Marg, Patna, Namely
3. The Director (Personnel), Bihar State Co - Operative Land Development
Bank, Budh Marg, Patna, Namely Mr. Mithlesh Kumar Singh
4. The Senior Accounts Officer, Bihar State Co - Operative Land
Development Bank, Budh Marg, Patna, Namely Mr. Ram Pujan Singh

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

9 07-09-2016 The petitioner is bent upon filing repeated contempt applications despite disposal of his earlier contempt application. He prays for taking action against the opposite parties for flouting/disobeying the order passed in C.W.J.C. No.9101 of 2004 and also for misleading this Court by filing false affidavit/show cause and further for flouting the undertaking given before this Court in the affidavit/show cause filed in M.J.C. No.1582 of 2006.

So far as the order dated 10.08.2004 is concerned, the contempt application for willful disobedience of the same does not appear to be maintainable specially when the petitioner has already filed a contempt application, being M.J.C. No.1582 of 2006, earlier against the said order which has been dismissed by

order dated 03.08.2009 holding that the petitioner has failed to cite a single instance where the amounts have been paid without following the chronological order.

It is, now, submitted by learned counsel for the petitioner that even with regard to the order passed in the said contempt application a false affidavit/show cause has been filed and undertakings given therein have been flouted.

This Court repeatedly asked the learned counsel for the petitioner to give specific instance after the order dated 03.08.2009 passed in M.J.C. No.1582 of 2006 where the opposite parties had violated the orders by giving any false affidavit/show cause and undertaking. The petitioner is unable to show any single instance after the said order.

On the other hand, learned counsel for the opposite party-Bank submits that after the order dated 03.08.2009 passed in the earlier contempt application, the petitioner had filed another writ petition which was considered along with other writ petitions and this Court, while disposing of those writ petitions, has formulated a scheme which is being followed by the opposite party-Bank and thus there is no question of filing of any false affidavit/show cause.

This Court is in agreement with the submission of learned

counsel for the opposite party-Bihar State Co-operative Land Development Bank.

In the aforesaid circumstances, the present contempt application is also dismissed.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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