

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.508 of 2017

In
Civil Writ Jurisdiction Case No.18552 of 2009

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Sail Kumari, wife of Late Ram Chandra Prasad Singh, resident of Village -
Korjana, P.S. - Cheriya Bariyarpur, District Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sri G.S. Gangwar Presently posted as Principal Secretary, Higher Education,
Govt. of Bihar, New Secretariat, Patna.
3. Dr. Saket Kushwaha, Presently posted as Vice-Chancellor, Lalit Narayan
Mithila University, Darbhanga.
4. Dr. Ajit Kumar Singh, Presently posted as Registrar, Lalit Narayan Mithila
University, Darbhanga.
5. Sushil Kumar Choudhary, presently posted as Finance Officer, Lalit Narayan
Mithila University, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s : Mr. Ajay Behari Sinha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 13-09-2017 This application has been filed in the year 2017 for

initiating action for contempt in view of the non-compliance

with the order passed more than seven years back on 05.07.2010

in CWJC No.18552 of 2009.

It is stated by learned counsel for the applicant that the
judgment in question was a judgment *in rem*. It was made
applicable to all concerned. As the benefit has not been
conferred to the applicant, she has filed the application after a
period of more than 10 years.

I see no reason to initiate any action for contempt. In case,
the applicant has not received the benefit of the order passed on



05.07.2010, she may initiate fresh proceedings in accordance with law, more so in view of the provision of Section 20 of the Contempt of Courts Act which prohibits the Court from initiating any proceeding for contempt, either on its own motion or otherwise, after expiry of a period of one year from the date on which the contempt is alleged to have been committed, I am not inclined to initiate any action for contempt.

The application is dismissed with liberty to the petitioner to take recourse to such remedy, as may be available in law. In case, the petitioner has any grievance still subsisting, she may initiate a fresh proceeding in accordance with law.

(Rajendra Menon, CJ)

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