

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2244 of 2017

IN

Civil Writ Jurisdiction Case No. 12194 of 2014

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Birendra Kumar Maharaj son of Shiv Kant Maharaj, resident of village- Singi, P.S.-
Phoolparas & District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mr. Vinay Kumar, Public Health Engineering Department, Government of Bihar, Patna.
2. Mr. Dinesh Singh, the Engineer-in-Chief cum Special Secretary, Public Health Engineering Department, Government of Bihar, Patna
3. Mr. Raghavji Ram, The Chief Engineer (Mechanical), Public Health Engineering Department, Government of Bihar, Patna.
4. Mr. Ashok Kumar Singh, the Superintending Engineer, Public Health Engineering Circle, Darbhanga.
5. Mr. Lal Babu Mahto, the Executive Engineer, Public Health Engineering Division, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Jha, Advocate
: Mr. Sushil Kumar Jha, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5
: Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 22-11-2017

Heard learned counsel for the petitioner and learned counsel
for the State.

2. This application has been filed by the petitioner for
initiation of contempt proceeding against the opposite parties for their
willful and deliberate violation of the order dated 24.03.2017 passed
by the Court in C.W.J.C. No.12194 of 2014.

3. This Court had made following observations in its order



dated 24.03.2017:-

“Considering the submission made on behalf of the petitioner, he is directed to file representation before respondent no.2 within a period of three weeks from today annexing a copy of this order as well as judgment passed in Sheela Devi vs. State of Bihar (CWJC No.2246 of 2012.

In case, the representation is filed by the petitioner, an appropriate order would be passed within a period of two months from the date of receipt of a copy of the representation. In case, it is found that the case of the petitioner is covered by the decision made in Sheela Devi vs State of Bihar (supra), the petitioner shall be given all the benefits and be paid all the dues, if not paid, within a period of one month from the date of disposal of the representation.

With the aforesaid observations and directions, the writ application is disposed.”

4. It is submitted that in the show cause filed on behalf of opposite party no.1 to 5 that pursuant to the order passed by this Court a reasoned and speaking order has been passed by opposite party no.2 vide memo no.2187 dated 03.11.2017 by which it has been held that the case of petitioner is not covered by the decision of Sheela Devi (supra).

5. In view of the order dated 03.11.2017 passed by opposite



party no.2, as contained in Annexure-B to the aforesaid show cause, I am of the opinion that no case for initiation of a contempt proceeding is made out.

6. The application is dismissed.

7. If the petitioner is aggrieved by the aforesaid order dated 03.11.2017, he would be at liberty to challenge the same by instituting an appropriate proceeding.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	25.11.2017
Transmission Date	25.11.2017

