

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.68 of 1992

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Brij Kumar Singh, S/o- Late Ganga Singh, resident of Village Korari, P.S.
Nagarnausa (Chandi) District- Nalanda

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date: 23-05-2017

This application was filed in the year 1992. It is pending since then and is listed now after it was lastly taken up on 5.3.1993. When the matter is taken up, none appears for the parties.

On going through the record, it is seen that in a case which was pending in the year 1992 being C.W.J.C. No.9232 of 1988 on 24.7.1991 a Bench of this Court passed an order, interlocutory in nature, directing that the allotment of M.I.G. Block No.191 situated in Hanuman Nagar, Patna, shall be got vacated and the custody of the house shall remain in possession of the Housing Board. The present petitioner, who was respondent No.7 in the writ petition, apprehending that the Board may allot the vacant house to somebody and thereby propose to violate the order dated 5.7.1991, the contempt application has been filed and in the show cause Board does indicate that they do not and will not allot the house till the writ petition is finally decided. It is apparent from the record that the



original writ petition No.9232 of 1988 has been disposed of by this Court on 7.4.1993.

That being so, now in the matter of complaint made with regard to interim order passed on 5.7.1991, I am not inclined to proceed further with the contempt proceedings on the basis of the allegation made in the petition and the averments made by the respondents in the counter affidavit rebutting the same, that also after the main writ petition has been disposed of on 7.4.1993.

If after disposal of the main writ petition on 7.4.1993 any dispute still subsists between the parties to the said writ petition, they are granted liberty to proceed in the matter in accordance with law afresh.

With the aforesaid liberty, the matter stands disposed of.

(Rajendra Menon, CJ)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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