

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3114 of 2016

In
Civil Writ Jurisdiction Case No.3647 of 2011

=====

Rajendra Prasad, son of Late Etawaru Ram, resident of Manpur Muffasil
More, P.O.: Buniyadganj, P.S. : Muffasil, District : Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar Through Sri Anjani Kumar Singh, The Chief Secretary, Bihar, Patna
2. The Principal Secretary, Department of Industries, Govt. of Bihar, Vikas Bhawan, New Secretariat, Patna through Dr. S. Sidarth
3. The Director, Handloom and Silk, Department of Industry, Govt. of Bihar, Vikas Bhawan, New Secretariat, Patna through Saket Kumar
4. Dr. Dharmendra Singh Gangwar, The Principal Secretary, General Administrative Department, Govt. of Bihar, Patna through (formal)
5. Ravi Mittal, The Principal Secretary, Department of Finance, Govt. of Bihar, Patna through (formal)
6. Surendra Pd. Sharma, The Law Secretary, Govt. of Bihar, Patna (Formal)

... .. opposite party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey
For the opposite party/s : Sri Lalit Kishore, Advocate General

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 06-09-2017 The present petition was filed for initiating contempt proceeding against opposite parties on an allegation of willful disobedience to an order dated 25.02.2016 passed in CWJC No. 3647 of 2011. Earlier, show -cause was filed indicating therein that State had preferred an L.P.A. Subsequently , L.P.A. stood disposed of and thereafter, one another show-cause was filed to show as if order of the writ court was complied with . However, this court after examining the show-cause as well as enclosures to the



show- cause was not satisfied regarding complete compliance of the order of the writ court, and as such, adjourned the case by order dated 26.07.2017 for filing show-cause showing compliance of the order in its letter and spirit. Again, on 23.08.2017 since full compliance was not shown, this court directed for filing show -cause showing compliance of the order of the writ court. Earlier, order was passed to file show-cause showing compliance, failure to which it was directed for personal appearance. Since show- cause showing compliance of order of the writ court in its letter and spirit was not filed nor officers summoned were present in court, this court by order dated 23.08.2017 was constrained to pass order for issuance of bailable warrant of arrest for securing appearance of those officers i.e. opposite party no. 2 /Principal Secretary, Department of Industries, Government of Bihar and opposite party no. 3/ Director, Handloom and Silk, Department Of Industry. Against part of the order dated 23.08.2017 whereby bailable warrant of arrest was directed to be issued, the opposite parties preferred an appeal vide L.P.A. No. 1221 of 2017 only to the extent of setting



aside the order of issuance of bailable warrant of arrest. A division bench of this court by its order dated 04.09.2017 disposed of the appeal on undertaking that both the opposite parties shall remain physically present in court. Accordingly, both the officers i.e. opposite party no. 2 / Sri S. Sidharth, the Principal Secretary, Department of Industries, Government of Bihar and Sri Saket Kumar, Director, Handloom and Silk, Department of Industries, Govt. of Bihar/ opposite party no. 3 are physically present in court.

Sri Lalit Kishore, learned Additional Advocate General in presence of learned counsel for the petitioner by way of referring to the show- cause filed on behalf of opposite part no. 2 and 3, which has been filed only today in Registry and on record, submits that order of the writ court has already been complied in its letter and spirit. He has specifically referred to paragraph nos. 10(g) and 13 of the show -cause. The submission made by learned Advocate General regarding compliance of the order has not been disputed by learned counsel for the petitioner.

In view of the fact that order of the writ court has



already been complied with in its letter and spirit, there is no need to further proceed with the matter. Personal appearance of opposite party nos. 2 and 3 is hereby dispensed with.

The contempt petition stands disposed of.

(Rakesh Kumar, J)

praful/-

U		T	
---	--	---	--

