

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.412 of 2014

In

Miscellaneous Jurisdiction Case No. 2557 of 2014

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1. Neeta Sharma, wife of Sri Ram Bihari Sharma, Resident of Village -
Shamsher Nagar, P.S- Daudnager, District - Aurangabad.

.... Petitioner

Versus

1. The State of Bihar, through Dr. C. Ashok Vardhan, Principal Secretary,
Revenue Department , Government of Bihar , Patna.
2. Mr. C. Ashok Vardhan, Principal Secretary, Revenue Department,
Government of Bihar, Patna.
3. Mr. Navin Chandra Jha, District Magistrate -cum- Collector,
Aurangabad.
4. Mr. Om Prakash Mandal, Sub Divisional Magistrate, Daudnagar, in the
district of Aurangabad.
5. Mr. Manoj Kumar, land Reforms Deputy Collector, Daudnagar, in the
district of Aurangabad.
6. Smt. Pratima Sinha, Circle Officer, Daudnagar Block, in the District of
Aurangabad.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Dwivedi, Sr. Adv.

Mr. Amrendra Narayan Rai, Advocate

For the Respondent/s : Mr. Niraj Kumar Sinha, AC to PAAG 2

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

AND

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

3 12-04-2017 This application, under Section 114 of the Civil Procedure Code, has been filed for review of the order, dated 18.11.2014, passed by this Court, in MJC No. 2557 of 2014, whereby the Court has declined to initiated contempt proceeding against the respondents.

In the opinion of this Court, the application itself



is misconceived.

It is well recognized principle of law that a matter of contempt is between the Court and the contemnor. The Court, though moved by way of M.J.C. application, may in its discretion, declined to exercise its jurisdiction for contempt.

That being the legal position, if the Court has decided not to initiate contempt proceeding, the petitioner could not have moved before this Court seeking review of the order.

For the reasons stated above, we see no merit in this application. It is accordingly dismissed.

(Ashwani Kumar Singh, J.)

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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