

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2236 of 2014

Arising out of

Civil Writ Jurisdiction Case No. 3079 of 2013

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Dr. Surendra Kumar, Son of Late Raghav Saran Prasad, Resident of Village Kapalia, P.S. Nalanda, District - Nalanda.

.... Petitioner/s

Versus

1. The Governing Body, Pairu Mahto, Sumere College, Paharpur Biharsharif, Nalanda, District - Nalanda through Sri Rajendra Prasad Singh Secretary, Pairu Mahto Sumere College, Paharpur, Biharsharif, District Nalanda.
2. Rajendra Prasad Singh, Secretary, The Governing Body, Pairu Mahto, Sumere College, Paharpur Biharsharif, Nalanda, District Nalanda at present residing at Magadh Cold Storage, Kajazpi, Gaya, District - Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 30-06-2017

This contempt application is filed *inter alia* contending that an order passed on 26.09.2013 in C.W.J.C. No. 3079 of 2013 has not been complied with and representation filed by the petitioner on 19.11.2013 has not been decided.

Even though the contempt application was filed on 27.06.2014, more than three years have passed and till date even cognizance of this application has not been taken. Accordingly, as even cognizance of this petition is not taken within a reasonable period of time, and, now during this period various other developments would have taken place, including change of the



officers required to take action at the relevant time. It is not appropriate to initiate action now.

In view of the above, it is not appropriate now to initiate action for contempt against the respondents. In case the representation of the petitioner still remains undecided and no action has been taken, petitioner may file a certified copy of this order along with the original order passed on 26.09.2013 before the concerned authority and in case the representation of the petitioner has not been decided, it be now decided within a period of three months.

With the aforesaid, this contempt application stands disposed of.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	05.07.2017
Transmission Date	

