

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1908 of 2007

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Shrawan Kumar, son of Shri Gulkan Prasad, a resident of Village- Satnag, P.S.
Chandi, District Nalanda

... .. Petitioner/s

Versus

Ram Kishore Mahto & Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 19-09-2017

This application for contempt of the order dated 15.3.2005 in C.W.J.C. No.11741 of 2004 has not been disposed of. A perusal of the order passed by the learned Writ Court goes to show that learned counsel appearing for the petitioner, after some argument, sought permission to withdraw the petition with liberty to file a representation before the competent authority. Therefore, the prayer was allowed and the petition was dismissed as withdrawn. However, an observation was made that, in case any representation is filed, the same be considered and a decision taken in accordance with law within a period of three months.

Now contending that the decision has not been taken, the contempt application was filed in the year 2007. More than 10 years have passed and till date even notices on the



application have not been issued. When the matter is taken up today, none appears. Earlier also, the application was dismissed for want of prosecution on 27.6.2011, but it was restored after orders were passed on 14.7.2017 in M.J.C. No.4995 of 2013.

Keeping in view facts and circumstances of the case, merely because the representation of the petitioner has not been decided, this Court does not deem it appropriate or a fit case for initiating action for contempt now after such a long period of time, i.e. ten years.

In view of the above, this application is disposed of. In case the petitioner has any grievance alive and still subsisting as on date, he may ventilate his grievance afresh in accordance with law in an appropriate proceeding.

(Rajendra Menon, CJ)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
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