

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4308 of 2016

Arising out of

LPA No. 1094 of 2016

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1. Navin Kumar, S/o Sri Anand Singh, Resident of House No. 465, Nehru Nagar, P.S. - Patliputra, District - Patna - 800013, Bihar.
 2. Mritunjay Kumar S/o Dr. Satyanarayan Singh Resident of House No. 465, Nehru Nagar, P.S. - Patliputra, District - Patna - 800013, Bihar.
 3. Rajesh Ranjan S/o Sri Dina Nath Mandal Resident of Nalanda Colony, P.O. - B.V. College, P.S. - Rajivnagar, District - Patna - 800014, Bihar.
 4. Rajnish Kumar S/o Sri Narayan Ram P.O. - Mohanpur Punaichak, P.S. Shastri Nagar, District - Patna - 800013, Bihar.
 5. Pankaj Tiwary S/o Late Sri T.N. Tiwari Resident of House No - 5, P.S. - Shastri Nagar, District - Patna - 800013, Bihar.
 6. Satish Kumar Sinha S/o Sri Ramanand Pd. Sinha Resident of Mohalla B/32, Bank Men's Colony, Chtitragupt Nagar, P.S. - Patrakar Nagar, District - Patna - 800020, Bihar.
 7. Dipankar Navendu S/o Late Amitabh Jha Resident of Kankarbagh Colony, P.S. - Kankarbagh, District - Patna - 800020, Bihar.
 8. Arun Prakash Rajak S/o Sri B.P.Rajak Resident of Belabagan, District - Deoghar, Jharkhand.
 9. Somen Saha S/o Late Sita Chandra Saha Resident of Suravi Path New Jakkanpur, District - Patna, Bihar.
 10. Madhurendra Kumar S/o Sri R.M. Singh Resident of Savitri Sadan, Road No. 2, East Shivpuri, P.S. LBS Nagar, District - Patna, Bihar.
 11. Shrawan Kumar S/o Late Bishnu Ram Basfor Resident of Ram Nagari Road, Ashiana Beli Road, P.S. - Rajivnagar, District - Patna, Bihar.
 12. Ajit Kumar Resident of Block No. 6, Flat No - 5, Adalatganj, District - Patna, Bihar.
 13. Sanjay Kumar Nirala Resident of Kayal Bhawan, Punaichak Pump House, P.S. - Shastri Nagar, District - Patna, Bihar.
 14. Satish Shandilya resident of Haridaspur, Khagaul Canal Road, District - Patna, Bihar.



- 15. Lakshmi Kant Ojha son of Late Yogendra Prasad Ojha Resident of House No. 7 near Surya Clinic, Kiswaipuri, P.S. Buddha Colony, District - Patna, Bihar.
- 16. Ravi Shankar son of R.D.Manjhi Resident of Flat No 576, Shastri Nagar, District - Patna, Bihar.
- 17. Vinod Kumar son of Sri Yogendra Ram Resident of Village - Maniyari, P.O. Maniyari, District - Muzaffarpur, Bihar.
- 18. Md. Kausar Alam son of Md. Hashim Resident of Azimabad Colony, P.O.Mahendru, P.S. Sultanganj, District - Patna - 80006.
- 19. Krishan Kumar Gupta, Son of R.P. Gupta Resident of Mulchharital, P.S. Khagaul, District - Patna.

.... Petitioner/s

Versus

- 1. The State of Bihar through Chief Secretary, Government of Bihar, Patna namely Sri Anjani Kumar Singh.
- 2. The Principal Secretary, Finance Department, Government of Bihar, Patna namely Sri Ravi Mittal.
- 3. The Joint Secretary, Finance Department, Government of Bihar, Patna namely Sri Ram Niwas Pandey.
- 4. The Union of India through the Principal Secretary, Department of Finance namely Sri Anjuly Chib Duggal.
- 5. The Hon'ble High Court of Judicature at Patna through the Registrar General namely Sri Prakash Chandra Jaiswal.

.... Respondent/s

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Appearance :

- For the Petitioner/s : Mr. Kumar Kaushik, Advocate
- For the Respondent/s : Mr. Ajay Kumar Rastogi, AAG-10

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date: 03-08-2017



Once we are apprised of the fact that in the S.L.P. filed by the State Government against the order passed by the Division Bench, special leave has been granted and the appeal is pending before the Supreme Court, we are not inclined to proceed in the contempt application, particularly in view of the law laid down by the Supreme Court in the case of **Modern Food Industries (India) Ltd. and another Vs. Sachidanand Dass and another- 1995 Supp. (4) SCC 465.**

We dispose of the matter granting liberty to the petitioners to seek enforcement of the order after the S.L.P. is decided or any benefit is granted by the Supreme Court.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	08.08.2017
Transmission Date	

