

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1489 of 2013

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1. Brij Kishore Prasad Son Of Shivji Prasad Resident Of Village And P.O. Pakhra, Police Station Maharajganj, District- Siwan
 2. Dharam Nath Singh Son Of Shri Dinanath Singh Resident Of Village Takkipur, P.O. Takkipur, District- Siwan
 3. Rajendra Singh Son Of Shri Byas Singh Resident Of Village- Sikandarpur, P.O. Ratanpura, Police Station Maharajganj, District- Siwan
 4. Sripati Devi Wife Of Paras Prasad Resident Of Village Nautan, P.O. Gohpur Bajrahian, Police Station Gautam Budha Nagar, District- Siwan
 5. Samiul Haque Son Of Abdul Ganni Resident Of Village D.K. Saranpur, P.O. Sakra, Police Station Gautam Budha Nagar, District- Siwan
 6. Shivbali Ram Son Of Devchandra Ram Resident Of Village Khamhauri, P.O. Rajapur, Police Station Gautam Budha Nagar (Tarwara), District- Siwan
 7. Grahani Devi Wife Of Late Ramanand Ram Resident Of Village And P.O. Jalalpur, Police Station Gautam Budha Nagar (Tarwara), District- Siwan
 8. Moti Lal Prasad Son Of Late Jamadar Prasad Resident Of Village Jigarwan, P.O. Jigarwan, Police Station Maharajganj, District- Siwan
 9. Prabhu Nath Singh Son Of Late Ram Lakshman Singh Resident Of Village Khamhauri, P.O. Rajapur, Police Station Gautam Budha Nagar (Tarwara), District- Siwan
 10. Prem Chand Sharma Son Of Shivdhari Sharma Resident Of Village And P.O. Risora, Police Station Maharajganj, District- Siwan
 11. Raj Mangal Ojha Son Of Sri Kishundeo Ojha Resident Of Village Nautan, P.O. Shahpur Bajrahia, Police Station Gautam Budha Nagar (Tarwara), District- Siwan
 12. Surendra Singh Son Of Late Ram Bilas Singh Resident Of Village And P.O. Jalalpur, Police Station Gautam Budha Nagar (Tarwara), District- Siwan
 13. Suman Kumar Pandey Son Of Late Surendra Nath Pandey Resident Of Village Shurbir, P.O. Patedhi, Police Station Maharajganj, District- Siwan
 14. Samsuddin Alam Son Of Late Babujan Mian Resident Of Village Shivdah, P.O. Jalalpur, Police Station Gautam Budha Nagar (Tarwara), District- Siwan
 15. Niraj Kumar Son Of Ram Binayak Singh Resident Of Village And P.O. Takkipur, Police Station Maharajganj, District- Siwan
 16. Jai Prakash Sharma Son Of Late Gorakh Sharma Resident Of Village And P.O. Takkipur, Police Station Maharajganj, District- Siwan

.... Appellant/s

Versus

1. The Union Of India Through Shri Amarjit Sinha, The Secretary, Health And Family Welfare, Govt. Of India, New Delhi
2. The State Of Bihar
3. Shri Sanjay Kumar, The Secretary, Health Department, Govt. Of Bihar, Patna
4. Shri Geeta Prasad, The Director-In-Chief, Health Services, Bihar, Patna
5. Shri Surendra Prasad, The Deputy Director, Health Service, Bihar, Patna
6. Shri Chandra Shekhar Kumar, The Civil Surgeon Cum Chief Medical Officer, Siwan, District- Siwan
7. Shri Patel Singh, The Incharge Medical Officer, Primary Health Centre, Maharajganj, District- Siwan

.... Respondent/s



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Appearance :

For the Appellant/s : Mr. Umesh Kumar Mishra
For the Respondent/s : Mr. Lalit Kishore (PAAG)

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)
Date: 27-02-2017

I. A. No. 8208 of 2013 is allowed.

Delay of 14 days is condoned.

Matter is thereafter taken up on merits.

Since the appeal has been filed against an order, dismissing a contempt application, in view of the decision of the Hon'ble Supreme Court, rendered in the case of D. N. Taneja Vs. Sri Bhajan Lal, reported in (1988) 3 SCC 26, the present appeal is not maintainable.

The Court further directs that the Civil Surgeon-cum-Chief Medical Officer, Siwan will realize the cost of Rs. 500 /-, which was imposed by the Learned Single Judge, from the appellants.

Appeal is dismissed, being not maintainable.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	28.02.2017
Transmission Date	

