

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3666 of 2017

In
Letters Patent Appeal No.1835 of 2016

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Birendra Kumar, S/o Late Yamuna Prasad, resident of Khangah, P.O. & P.S.-
Arbal, District-Arbal.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Co Operative Department, Government Of Bihar Amrit Lal Meena
2. Sri Amrit Lal Meena, Principal Secretary, Co-operative Department, Government of Bihar, New Secretariat, Patna.
3. Sri Narendra Prasad Mandal, Registrar, Co-operative Societies, Government of Bihar, New Secretariat, Patna.
4. Sri Nisar Ahmad, Assistant Registrar, Co-operative Societies, Siwan, Anchal-Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. R.B. Prasad Yadav- AAG-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-03-2018 On 09.05.2017, Letters Patent Appeal No.1835 of 2016 was disposed of by this Court granting liberty to the appellant to file an appeal before the Statutory Appellate Authority under the Bihar Co-operative Societies Act and the statutory Appellate Authority was directed to decide the appeal afresh in accordance with law. *Inter alia* contending that this order has not been complied with, this application has been filed for initiating action for contempt.

However, on a perusal of the pleadings and the documents available, we find that no appeal has been filed before the



statutory Appellate Authority, only a copy of the order passed in the Letters Patent Appeal has been forwarded to the Secretary of the Department and thereafter, this contempt application has been filed.

The contempt application is misconceived, is not maintainable and is, accordingly, dismissed with liberty to the petitioner to first file a statutory appeal before the statutory appellate authority and thereafter, in case, any grievance remains, come to this Court for ventilating the same. For the present, on the facts that have come on record, we see no case is made out for initiating action for contempt.

The application is, therefore, dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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