

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.3634 of 2017**

**In**

**LPA 1173 of 2016**

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Bhikha Devi, W/o Late Vijay Pandit, Resident of Mohalla/ Village-  
Sahebganj (Sarobar Lane), Post Office- Sahebganj, Police Station-  
University, District- Bhagalpur.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Sri Amir Subhani, Principal Secretary, Department of General Administration, Bihar, Patna.
3. Sri Ajai Kumar Choudhary, Commissioner, Bhagalpur Division, Bhagalpur.
4. Sri Adesh Titarmere, District Magistrate, Bhagalpur.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Krishna Chandra, Advocate

For the Respondent/s : Mr. Parth Sarthy - Ga 4

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR  
UPADHYAY**

ORAL ORDER

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      11-01-2018      Having heard learned counsel for the parties, we are of the considered view that once the Department has considered the claim and, for reasons that may be attributed to non-availability of the record, if the claim is rejected, it is not a fit case where in the light of the nature of the order passed by us in the L.P.A., contempt action can be taken. The rejection now by the Department after consideration would give a fresh cause of action to the petitioner and the petitioner is free to agitate it



before the appropriate authority or Court in accordance with law.

With the aforesaid observation and liberty, the application is disposed of.

**(Rajendra Menon, CJ)**

**(Anil Kumar Upadhyay, J)**

K.C.jha/-

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