

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 923 of 2016

In

Civil Writ Jurisdiction Case No. 12363 of 2010

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Ashok Kumar Pandey, son of Sri Jagdish Pandey, resident of village-Koni,
P.S. Dinara, District Rohtas.

.... Petitioner

Versus

1. The State of Bihar through Mr. Anjani Kumar Singh, the Chief Secretary, Bihar, Patna.
2. Mr. Anand Kishore, the Commissioner, Patna Division, Patna.
3. Mr. Animesh Kumar Parasar, the District Magistrate, Rohtas at Sasaram.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Respondent/s : Mr. Prashant Pratap

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER**

2 24-01-2018

Heard the parties.

The grievance of the petitioner is that in spite of order dated 08.08.2014 passed in C.W.J.C. No. 12363 of 2010, the opposite party no. 3 has not passed order in Arms Case No. 18 of 2010 though this court vide the aforesaid order had directed the opposite party no. 3 to pass a fresh order within one month from the date of receipt/production of copy of that order.

Learned counsel for the petitioner submits that petitioner has specifically pleaded at paragraphs no. 5 and 6 of the petition that he approached the opposite party no. 3 several times by filing petitions along with copy of order of this court but no step was taken by the opposite party no. 3 for compliance of order



dated 08.08.2014 passed in C.W.J.C. No. 12363 of 2010 which is clear cut contempt of this court and, therefore, stern action is needed against the opposite party no. 3.

However, learned counsel appearing for the State points out that after receipt of order of this court the opposite party no. 3 gave several notices to petitioner but he did not appear before the opposite party no. 3 and that was the reason fresh order could not be passed in above stated Arms Case No. 18 of 2010.

In view of the aforesaid submissions, this petition stands disposed of giving direction to petitioner to appear before the opposite party no. 3, the District Magistrate, Rohtas at Sasaram within four weeks along with copy of the present order as well as copy of order dated 08.08.2014 passed in C.W.J.C. No. 12363 of 2010 and if the petitioner does so, the opposite party no. 3 must pass a fresh order in Arms Case No. 18 of 2010 within six weeks, failing which the petitioner shall be at liberty to file fresh contempt petition. It is made clear that if the petitioner files fresh contempt petition before this court, the matter shall be viewed seriously and stern action shall be taken against the opposite party no. 3.

(Hemant Kumar Srivastava, J)

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