

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2756 of 2016

In

Civil Writ Jurisdiction Case No. 4431 of 2006

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Shyam Sunder Prasad Singh, son of late Ram Swarup Singh, resident of village – Kalitalla, P.O. and P.S. – Barharwa, District – Sahebganj (Jharkhand).

.... Petitioner

Versus

1. The State of Bihar through the Administrator Bihar State Agriculture Marketing Board, Patna namely Sri Himanshu Kr. Roy.
2. The Administrator, Bihar State Agriculture Marketing Board, Patna, namely Sri Hamanshu Kr. Roy.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Respondent/s : Mr. Sc1 Md. Nashrul Hoda Khan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 11-09-2018

A preliminary objection has been taken on behalf of the State. It is submitted that the contempt application is prematured inasmuch as the petitioner has failed to fulfill his part of the obligations by submitting a fresh copy of the memo of appeal along with his representation before the Administrator of the Board.

Learned counsel for the petitioner is unable to show from the statement made in the contempt application that a fresh copy of memo of appeal was submitted before the Administrator of the Board.

In the aforesaid view of the matter, this contempt application cannot proceed. The petitioner



would have to comply with his part of the obligations and then the Administrator of the Board will have to proceed to comply with the order of the learned court within the prescribed period.

In case, the order is not complied with despite the petitioner fulfilling his obligation, the petitioner will be at liberty to file a fresh contempt application.

This contempt application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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