

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3636 of 2011

- =====
1. Dhananjay Tiwary, son of Bhola Nath Tiwary, resident of mohalla Ram Nagar, Sector-111, near Ashiana Nagar, P.S.-Shastri Nagar, District-Patna.
 2. Kumar Arbind, son of late Awani Bhushan Thakur, resident of mohalla-Shivpuri, P.S.-Shastri Nagar, District-Patna.
 3. Kedra Nath Singh, son of Raghubir Singh, resident of village-Parasia, P.S.-Nokha, District-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Vyasjee, son of not known to petitioner, The Commissioner/and Secretary, Labour Employment and Training Department, Government of Bihar, Patna.

.... Opposite Party/s

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with

Miscellaneous Jurisdiction Case No.4387 of 2011

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1. Kanhaiya Kr. Singh Late Chandrabans Narayan Singh R/O,Mohll.-Tilak Nagar,P.S.-Begusarai,Dist.-Begusarai

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sri Vyasjee Not Known To Petitioner, The Commissioner And Secretary, Labour Employment And Training Department Government Of Bihar,Patna
3. Vishnu Kumar ,Principal Secretary, Labour, Employment And Training Department, Government Of Jharkhand, Ranchi, Jharkhand

.... Opposite Party/s

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Appearance :

(In MJC No.3636 of 2011)

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr.

(In MJC No.4387 of 2011)

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

13 09-10-2018

Learned counsel for the petitioners has insisted for adjournment of the matters on the ground that the learned senior



counsel who has been engaged on behalf of the petitioners has gone to Ranchi in professional matter.

The prayer for adjournment is rejected.

Heard learned counsel for the parties.

Learned counsel representing the opposite parties has referred the materials on record showing that the judgment of this Court in LPA No.608 of 2006 was subject matter of challenge before the Hon'ble Supreme Court in Civil Appeal No.1442 of 2015 and the Hon'ble Supreme Court has been pleased to set aside the impugned judgment dated 19.04.2011 passed in LPA No.608 of 2006. It is further submitted that the State has filed review petitions no. 333 of 2017 and 334 of 2017 (learned counsel for the petitioners submits that it is Civil Review No.433 of 2017 and 434 of 2017) for review of the order dated 16.08.2017 passed in LPA No.344 of 2012 which is in fact passed on the basis of earlier judgment of the Hon'ble Division Bench in LPA No.608 of 2006.

Learned counsel for the petitioners, however, submits that one of the review petitions filed on behalf of the State has been dismissed in default, whereas the another review petition is pending for removal of defects. In the aforementioned backgrounds when this Court considers the present contempt application, the Court is of the considered opinion that it is not a



case of willful disobedience of the order passed by this Court. There are certain developments in the matter and those developments have been of significance, therefore, at this stage, the Court is not inclined to proceed with the contempt application. The petitioners will be at liberty to file a fresh contempt application, if so advised, after disposal of the civil review application.

Both the applications stand disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Arvind/-

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