

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2776 of 2007

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Sri Vivekanand Prasad, S/o Late Anant Lal Das, Executive Engineer, Western Kosi Canal Division, Darbhanga, B1, Kosi Colony, Shivar Behat, P.O. Laxmi Sagar, P.S. Sadar, Darbhanga, District – Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. A.K. Sinha, Commissioner-cum-Secretary (Pradhan Sachiv), Water Resources Department, Govt. of Bihar, Sinchai Bhawan, Patna.
2. Mr. A.K. Sinha, The Commissioner-cum-Secretary (Pradhan Sachiv), Water Resources Department, Govt. of Bihar, Sinchai Bhawan, Patna.
3. Mr. S.K. Nizami (Shahabuddin Khan Nizami) Executive Engineer Incharge Joint Secretary, Water Resources Department, Govt. of Bihar, Sinchai Bhawan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo Kumar Sinha, Advocate
For the Respondent/s : Mr. S.A. Alam, S.C. 4

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 04-10-2018

1. Present application is preferred by the original writ petitioner making grievance that the order passed by this Court in C.W.J.C. No. 3177 of 2004 has not been complied with and, therefore, it is prayed to initiate contempt proceedings.

2. A counter is filed with the show cause in which it is specifically pointed out that against the order dated 04.08.2005 passed in C.W.J.C. No. 3177 of 2004, of which the contempt is alleged, the others have preferred Letters Patent Appeal No. 130 of 2007 which as such was admitted, however, thereafter the same was dismissed for non-prosecution and thereafter the restoration



application is preferred and the matter is at large before another Division Bench.

3. In that view of the matter, it cannot be said that there is deliberate or wilful disobedience of the orders passed by this Court.

4. Under the circumstances, the present application stands disposed of. However, the concerned respondents to see to it that the main Letters Patent Appeal, which is of the year 2007, is placed before the Bench at the earliest.

(Mukesh R. Shah, CJ)

K.C.Jha/Uma/-

AFR/NAFR	NAFR
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