

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2381 of 2016

In
Miscellaneous Jurisdiction Case No. 2202 of 2003

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1. Braj Nath Thakur son of Late Ram Chandra Thakur, Resident of village, Durgapatti, P.S. Madhopur, District-Madhubani
 2. Amar Nath Thakur, son of Late Dr. Bachaspati Thakur, Resident of village- Barhan, P.S. Benipatti, Madhubani
 3. Hriday Narayan Jha, son of Late Sushil Jha, Resident of village Bhabham, P.S. Andhrathadih, Madhubani

.... Petitioner/s

Versus

1. Sri Anjani Kumar Singh, the Chief Secretary, Government of Bihar, Patna
2. Sri Dharmendar Singh Gangwar, the Principal Secretary, Higher Education, Government of Bihar, Patna.
3. Sri Senthil Kumar, Director, Lalit Naryan Mishra Institute of Economic Development and Social Change, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Ms. Mallika Mazumdar
For the State : Mr. Maruth Nath Roy
For the Institute : Mr. R.K. Shukla

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

10 01-08-2018 Heard learned counsel for the petitioners and

learned counsel appearing on behalf of the State.

The petitioners have come for initiating contempt proceedings against the concerned opposite parties for willful and deliberate non-compliance of the order passed by this Court. The matter has been heard on several occasions and the authorities have filed their respective show-causes.

On the last occasion when this Court intervened, two



sets of show-cause have been filed in which they have said that, in sum and substance, the direction of the Writ Court passed in C.W.J.C. No. 13417 of 2000 has been complied with.

Learned counsel for the petitioners, however, contends that subsequent to the order passed in C.W.J.C. No. 13417 of 2000, another M.J.C. application bearing No. 2202 of 2003 was filed but the same has been dismissed.

The bone of contention now is that despite the dismissal of the M.J.C., the petitioner's termination was left open to challenge in the order passed in the contempt application. The petitioner was also one of the persons who had been terminated and which led to the dismissal of the contempt application. The contempt court had clearly stated that no case under the contempt of Court Act was made any further and it was open to those who had been prejudiced by the order of the State Authorities to pursue appropriate remedy.

I have been informed by the petitioner that subsequent thereto, the petitioner had also challenged his order of termination and he was reinstated. Now, the petitioner wants re-opening of the contempt application which is impermissible in law.



In view of such facts and circumstances, the contempt application stands dismissed.

(Anjana Mishra, J)

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