

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.94 of 2016

IN

Civil Writ Jurisdiction Case No. 20486 of 2011

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Mostt. Madhubala Sinha W/o Late Shambhu Nath Prasad, Resident of Village -
Maricha, P.O. - Sarai, P.S. - Bhagwanpur, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar Through Chief Secretary Namely Anjani Kumar Singh
2. Er. Laxmi Narayan Das, the Engineer - in - Chief, P.W.D., Road Bihar, Patna.
3. Sri Ram Awadesh Kumar, the Chief Engineer, P.W.D., Road Division, Bihar, Patna.
4. Sri Shyama Nand Pandey, The Superintending Engineer, P.W.D., Road Division, Darbhanga Road Division.
5. Sri Surendra Yadav, the Executive Engineer, P.W.D., Road Division, Madhubani.
6. Sri Sanjay Kumar Singh, Asstt. Engineer, P.W.D. Jhanjharpur, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 31-01-2018

The writ petition was disposed of on 25.11.2011 by an
innocuous order which reads as under:

“Upon hearing learned counsel for the
petitioner, the writ petition is disposed of with a
direction that the petitioner’s case for appointment
under dying in harness rule shall be considered
according to rule within a period of one month from
the date of receipt/production of a certified copy of
this order.”



From the show cause filed by the respondents it is clear that they have rejected the claim of the petitioner. Contention of the petitioner now is that it has been rejected on improper consideration.

That cannot be a ground for initiation action for contempt. The only direction in the order was to consider and take a decision. The manner of taking a decision, its legality or otherwise is not the subject-matter of contempt proceedings and, therefore, no further indulgence is called for.

In case the petitioner has any grievance with regard to the manner in which consideration is made and the claim rejected, it gives a fresh cause of action to the petitioner to agitate it in accordance with law, but not a case for initiating action for contempt.

With the aforesaid observation and liberty, this application is disposed of.

(Rajendra Menon, CJ)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	01-02-2018
Transmission Date	

