

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.365 of 2017

In
LPA 925 of 2014

=====

Anupam Adarsh, Son of Binod Kumar Das, C/o Sudhir Kumar Sinha,
resident of Mohalla- Gandhi Nagar, Road No. 2, Khadi Bhandar Chowk,
Muzaffarpur, P.S. Town Muzaffarpur, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Sri Himanshu Kumar Roy, Director of Agriculture, Government of Bihar, Patna.
3. Sri Ganesh Ram, the Director, Bihar Agriculture Management and Extension Training Institute (Bameti), Department of Agriculture, Government of Bihar, Patna.
4. Sri Vijay Prakash, the Commissioner, Agriculture Department, Department of Agriculture, Government of Bihar, Patna.
5. Sri Sudhir Kumar, the Secretary, Agriculture Department, Government of Bihar, Patna.
6. Sri Lokesh Kumar, the District Magistrate, West Champaran.
7. Shilajeet Singh, the District Agriculture Officer, Bettiah, West Champaran.
8. Rajesh Meena, the District Development Commissioner, Bettiah, West Champaran.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Adv.
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

5 19-09-2018 Prima facie we are not satisfied that any contempt is made out. The petitioner herein was neither the writ petitioner nor a party in the appeal. His grievance is that the observations made by the Division Bench while dismissing the appeal is not being correctly applied by the State while preparing a select list, inasmuch as incompetent applicants have been given a march over



the petitioner.

In our opinion, a preparation of the merit list in purported compliance of a judgment may be subject matter of independent proceeding but certainly can not be a subject matter of the contempt because we presume that the State has its reasons in preparation of the select list. That the writ petitioner was not even a party at any stage of the proceeding, he has no locus to file a contempt application because the judgment and order of this Court in dismissing the appeal is not a direction in rem to the State even if it is an advice in the matter of preparation of the list.

This Court thus gives liberty to the petitioner to question the action of the State in preparation of the select list in case he is of the opinion that it is not in tune with the observations made by the Division Bench by filing an appropriate application before the appropriate forum but the nature of the grievance raised herein would not amount to contempt.

With the liberty aforementioned, the contempt application is disposed of.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Archana/Surendra

U			
---	--	--	--

