

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.896 of 2018

In
Civil Writ Jurisdiction Case No.3307 of 2016

=====

1. The State of Bihar through Durgesh Nandan, Secretary, State Election Commission, Bihar, Patna
2. Shri Asok Kumar Chauhan, Commissioner, State Election Commission, Bihar, Patna.

... .. Appellant/s

Versus

Ranjit Kumar Ghosh, Son of Latte Ashutosh Ghosh, Resident of Bhikhna Pahari, P.S.- Kadamkunwa, District- Patna. Proprietor of Bihar Ink Company, Patna

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sanjeev Nikesh, Advocate
For the Respondent/s :

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-07-2018 Apart from the fact that the order in question is an interim order passed in a pending contempt proceedings, the question as to whether the contempt case itself is maintainable is an issue and, therefore, at this interim stage, we are not inclined to interfere into the matter.

Prima facie, we are of the view that in the facts and circumstances of the case, against an interim order passed in a contempt proceedings, Letters Patent Appeal is not maintainable and the law laid down in the case of *Midnapore Peoples' Coop. Bank Ltd. vs. Chunilal Nanda*, (2006) 5 SCC 399 will not apply



in the peculiar facts and circumstances of this case.

The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

U			
---	--	--	--

