

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4025 of 2016

In

Civil Writ Jurisdiction Case No. 7543 of 1999

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1. Bihar Mausami D. D. T. Chhirkow Karamchari Union, Lakhisarai, through its President Rajiv Kumar , son of Ram Jugat Singh, resident of Village-Hirden Bigha, Post-Barahiya, P.S.-Barahiya, District-Lakhisarai.
 2. Rajeev Kumar (Secretary), son of Late Manogi Das, Resident of Village & P.O.-Daulatpur, P.S.- Bhadaul, District-Patna
 3. Parmeshwar Yadav (Vice-President), son of Late Beni Yadav, Resident of Village & Post-Dhira, P.S. & District-Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri M.P. Sharma, the Chief Malaria Officer, Bihar, Patna.
3. Sri Raj Kishore Prasad, the Civil Surgeon-Cum-Chief Medical Officer, Lakhisarai.
4. Sri Sunil Kumar, the District Magistrate, Lakhisarai.
5. Sri Ram Ashray Singh, the District Malaria Officer, Lakhisarai.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Subhro Sanyal, Advocate
Mr. Dhaneshwar Prasad Gupta, Advocate
For the State : Mr. S. D. Yadav, AAG-9
Mr. Nagendra Kumar, A.C. to AAG-9

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

10 10-05-2018 Heard Mr. Subhro Sanyal, learned counsel for the

petitioners and Mr. S.D. Yadav, learned Additional Advocate

General No.9 appearing on behalf of the State.

The petitioners seek issuance of contempt
proceedings against the State authorities for their wilful and
deliberate violation of the order dated 04.03.2004 passed in CWJC
No.7543 of 1999.

Successive show causes have been filed in this case



and finally on 03.04.2018, wherein at paragraph 5, the opposite parties have stated that vide letter No.74 dated 10.06.2017, the District Magistrate, Lakhisarai has approved the panel list and the panel of 391 candidates, which was uploaded, was not approved by the District Magistrate. It is further submitted that the final panel has been sent to the higher authorities thereafter on 22.09.2017. It has been asserted that any allegation of bungling has been found to be without any basis and, therefore, the objections cannot be sustained.

In view of the above facts and circumstances and that the final merit list has now been prepared, no case for proceeding further in the contempt is made out. The application for contempt is thus dropped, with liberty to those candidates, who are alleged to have been left out, to seek appropriate legal remedy, in accordance with law.

The M.J.C. application is, thus, disposed of.

(Anjana Mishra, J)

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