

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1138 of 2018

IN
Civil Writ Jurisdiction Case No. 4185 of 2018

=====

Rashmi Prabha, wife of Vijay Kumar Choudhary, resident of C-140, 3rd Floor
Jawahar Park, Devli Road Khanpur, P.S. Nebsarai, New Delhi - 110062

.... Petitioner

Versus

1. Bank of Baroda through East General Manager namely Sri B. B Mukhopadhyay, Patna Circle Boring Road, Patna, (M)- 8335073003.
2. Regional Manager namely Atul Kumar Khare, Bank of Baroda, Bhatt Road Purnea, (M) – 9102675895
3. Branch Manager namely Mr. Ashutosh Kumar, Bank of Baroda, Pathakdih (Chhatpatia) Bhagalpur (M)- 9931209094.
4. Authorized Officer/Chief Officer, Main Branch, Bank of Baroda, Bhagalpur namely, Navin Kumar Sahay, (M) – 8294634951
5. Tabarak Hussain @ Md. Tabarak, son of Murshid Ali, Resident of village Chandpur, P.S. Ekchari, District Bhagalpur

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Tarun Kumar Sinha, advocate

For Opposite Parties : Mr. Sanjeev Shankar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-09-2018

Heard learned counsel for the petitioner and learned
counsel for the opposite parties.

2. The present petition has been filed for initiating a
contempt proceeding against the opposite parties for willful
disobedience of the order of this Court dated 16.03.2018 passed in
CWJC No. 4185 of 2018.

3. At the very outset, learned counsel for the opposite
party-Bank points out that the petitioner has no locus standi in the
matter as the auction purchaser of the relevant property was her



husband Sri Vijay Kumar Choudhary and not the petitioner.

4. Learned counsel for the petitioner submits that the present contempt petition has been filed by the wife of the auction purchaser as the latter was out of station at the relevant time.

5. This Court is of the view that the present contempt petition cannot be maintained at the instance of wife of the auction purchaser who is stranger to the entire transaction. The auction purchaser being out of station at the relevant time cannot confer a right upon his wife to file the present contempt petition, and that too without proper authorization in this regard.

6. The contempt petition accordingly stands dismissed.

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11.09.2018
Transmission Date	N.A.

