

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3031 of 2017

In
Civil Writ Jurisdiction Case No.12967 of 2010

Bijay Kumar Sinha, son of Late Mathura Prasad, resident of Mohalla-Bari
Durga Asthan , Shadik, P.O. Munger, P.S. Kotwali, District-Munger

... .. Petitioner

Versus

1. Mr. Amit Kumar , son of not known to the petitioner, the District
Magistrate, Lakhisarai
2. The State of Bihar through the District Magistrate, Lakhisarai

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava
For the Respondent/s : Mr. AC to AAG-10

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 09-05-2018 Heard Sri Shri Prakash Srivastava, learned counsel
for the petitioner and learned AC to AAG-10.

The present petition was filed for initiating contempt proceeding against Opp.Parties on an allegation of disobedience to an order dated 17.05.2017 passed in C.W.J.C.No.12967 of 2010. By the said order, the writ petition was disposed of with direction to Respondent no.2 to examine and pass appropriate order in accordance with law, if representation is filed by the petitioner.

Sri Shri Prakash Srivastava, learned counsel for the petitioner submits that of course in compliance with the order of the writ court, an order has been passed on the representation of the petitioner, but apparently the order appears to be illegal.



The Court is of the opinion that in contempt jurisdiction, it would be difficult for this Court to examine the the correctness of the order, which has been passed in compliance of the order of the writ court. If so advised, the petitioner would be at liberty to assail the said order i.e. Annexure-P/3 in an appropriate proceeding.

Accordingly, the petition stands disposed of with above observation. However, the petitioner would be at liberty to avail appropriate remedy.

(Rakesh Kumar, J)

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