

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3038 of 2017

In
Civil Writ Jurisdiction Case No. 13303 of 2016

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Ram Chandra Yadav, S/o Late Jamun Yadav, R/o Village + P.O. - Baghwa,
P.S. - Mahishi, District - Saharsa at present posted as Revenue Karamchari,
Anchal - Kahra, Halka - 5, P.S. + District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through Mr. Vivek Kumar Singh, the Principal Secretary, Department of Revenue and Land Reform, Govt. of Bihar, Patna.
2. Mr. Vivek Kumar Singh, the Principal Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
3. Mr. T.N. Bindeshwary, the Commissioner, Koshi Division, Saharsa.
4. Mr. Binod Singh Gujiyal, the Collector cum District Magistrate, Saharsa.
5. Mr. Dhirendra Kumar Jha, the Addl. Collector, Saharsa.
6. Mr. Sourabh Jorwal, the Sub Divisional Officer, Saharsa.
7. Mr. Ravi Ranjan Kumar Gupta, the D.C.L.R. Saharsa Sadar, Saharsa.
8. Mr. Shailendra Kumar, the Circle Officer, Anchal - Kahara, District - Saharsa.
9. Mr. Krishnadeo Sah, the Karyalay Mantri, Zila Bhoodan Yagua Karyalaya, Purale Bazar, P.S. + District - Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Chandra Prasad, Adv.
Mr. Pawan Kumar Singh, Adv.
For the Respondent/s : Mr. Khurshid Alam, AAG- 12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 27-06-2018 Counsel for the parties are present.

This contempt application was filed alleging non-compliance of the judgment and order of this Court passed in CWJC No.13303 of 2016, whereby the District Magistrate, Saharsa was directed to ensure that the departmental proceeding is completed within three months from the date of receipt/production of a copy of the order.

A show cause was filed on the last date i.e. 20.6.2018



reporting compliance of the order passed on the writ petition. A prayer was made by learned counsel for the petitioner to examine the same. It is taking note of the situation, the matter was passed over and when today this matter is taken up another prayer is made by the counsel for the petitioner seeking adjournment which is rejected.

I have perused the show cause filed on behalf of the opposite party nos.3 to 8 which encloses an order bearing Memo 1378 dated 31.10.2017, whereby the petitioner has been dismissed from service. Where the final order has been passed in the disciplinary proceeding dismissing the petitioner, it is open to him to question its validity in an appropriate proceeding but no question of contempt remains.

While thus giving liberty to the petitioner to question the dismissal order in an appropriate proceeding before an appropriate forum, the present contempt application is disposed of.

(Jyoti Saran, J)

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