

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 3332 of 2017

Arising out of

Miscellaneous Jurisdiction Case No. 1804 of 2015

-
-
1. Baijnath Nirman India Pvt. Ltd. through its Managing Director, Namely, Niranjan Keshav, Son of Sri Baijnath Prasad Sharma, resident of Mohalla-East Gandhi Maidan, P.S. District- Jehanabad.
 2. Niranjan Keshav, Son of Sri Baijnath Prasad Sharma, Resident of Mohalla-East Gandhi Maidan, P.S. + District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bhaqr through the Principal Secretary, Sri Vinay Kumar, Son of not known to the petitioner, Rural Works Department, Government of Bihar.
2. Sri Kamlesh Chaudhary, the Engineer-in-Chief, Son of not known to the petitioner, Rural Works Department, Government of Bihar, Patna.
3. Sri Shailendra Kumar Pandey, the Joint Secretary, Son of not known to the petitioner, Rural Works Department, Government of Bihar.
4. Sri Gajendra Mishra, Son of not known to the petitioner, Joint Secretary, Rural Works Division Arwal, District- Arwal.
5. Sri Akhilesh Kumar, the Executive Engineer, Son of not known to the petitioner, Rural Works Divisional, Arwal, District- Arwal.
6. Sri Bed Prakash Lal, Son of not known to the petitioner, the then Executive Engineer, Rural Works Division, Arwal, District- Arwal.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the State : Mr. Ravindra Kumar, AC to AAG 6

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 05-09-2019

Nobody appears on behalf of the petitioners. Learned
AC to AAG 6 for the State has assisted the Court.

2. The petitioners has moved the Court alleging
deliberate violation of the order dated 24.05.2017 passed in MJC



No. 1804 of 2015, which in turn arose out of order passed in CWJC No. 18087 of 2012.

3. The order dated 24.05.2017 passed in MJC No. 1804 of 2015 reads as under:

“As is evident from Annexure-A dated 23rd of January, 2013 passed by the Engineer-in-Chief, Rural Works Department, Government of Bihar cancelling the order of blacklisting and informing of all concerned about the fact that blacklisting order of the petitioner has been quashed, now no further action is required to be taken in the matter.

Accordingly, the application is disposed of in the light of the compliance made by the respondents.”

4. Learned counsel for the State submitted that the present application is absolutely frivolous as there is no violation at all and the petitioners have tried to misuse the order by showing lodging of FIR against him to be violation of the order when the order only indicated that the blacklisting of the petitioners had been quashed.

5. From the pleadings and materials on record in the application itself, the contention of learned counsel for the State is found to be correct.

6. In view thereof, the Court finds that the application is totally misconceived and filed with the purpose of exerting undue pressure on the authorities, which clearly is an abuse of the



process of the Court, as allegation of contempt and prayer to punish, is a serious matter and nobody can be allowed to do so in a deliberately mischievous manner, as has been done in the present case.

7. Accordingly, the application stands dismissed with cost of Rs. 50,000/-. The same be deposited in the Juvenile Justice Fund of the State Social Welfare Department and receipt filed within four weeks from today, failing which the Registry shall place the matter before the Bench for appropriate orders.

8. Let the Registry communicate the order to the petitioners latest by tomorrow.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

