

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1200 of 2018

In

Civil Writ Jurisdiction Case No.18933 of 2013

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Bishnu Dev Mishra, Son Of Late Ramjee Mishra @ Ram Narayan Mishra
Resident Of Village-Ganaur, Post Office- Narayanpur, Police Station-
Bhavanipur, District Bhagalpur, at Present Water Wase Colony, Irrigation
Division, Tarapur, District Munger

... .. Petitioner

Versus

1. The State of Bihar through Mr. Arun Kumar Singh, Principal Secretary, Irrigation Department, Irrigation Building, Bihar, Patna.
2. Mr. Arun Kumar Singh, Principal Secretary, Irrigation Department, Government of Bihar, Patna.
3. Mr. Dr. Rajiv Kumar, Deputy Secretary, Irrigation Department, Irrigation Building, Bihar, Patna
4. Mr. Arun Kumar, Chief Engineer, Irrigation Department, Bihar, Patna
5. Mr. Shailendra, Chief Engineer, Irrigation Department, Bhagalpur.
6. Mr. Harish Kumar, Superintending Engineer, Irrigation Anchal Kharagpur, Munger.
7. Mr. Mahendra Kumar, Executive Engineer, Irrigation Division, Tarapur, Munger.
8. Mr. Sachin Kumar, Sub Divisional Officer, Irrigation Division, Tarapur, Munger.
9. Mr. Ashok Kumar, Head Quarter Irrigation Sub Division, Tarapur, Munger.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha, Adv.
For the Opposite Party/s : Mr. Anjani Kumar - AAG 4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 10-04-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking initiation of
contempt proceeding against the contemnors - opposite parties
for violation of order dated 28.11.2017 passed by this Court in
C.W.J.C. No. 18933 of 2016.

This Court has passed the order in the following



terms:-

... In that view of the matter, let the Irrigation Department should consider the case of the petitioner for regularization, if 8 persons junior to the petitioner have been regularized then certainly the petitioner should also be considered for regularization. Accordingly, this Court directs the Authority concerned to take decision about his regularization within a period of three months from the date of receipt of this order.”

In pursuance thereof, the competent authority examined the claim of the petitioner and rejected the same vide order dated 09.03.2019.

Learned counsel for the petitioner submits that the opposite parties have purposely passed the order without considering the materials available on record, thereby this petitioner has been deprived of the right of regularization.

These issues cannot be decided in the present proceeding. The petitioner, if so advised, may take legal remedy in accordance with law.

Accordingly, this contempt petition is disposed of.

(Shivaji Pandey, J)

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