

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5282 of 2018

In
Letters Patent Appeal No.885 of 2009

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Mukurdhan Prasad Yadav @ Mukardhun Yadav, Son of Not Known R/o
Village-Pachagwa P.S. Semara, Districty-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Personnel Secretary, Home Department,
Govt. Of Bihar, Patna.
2. The Principal Secretary, Home, Govt. of Bihar, Patna.
3. The District Magistrate, West Champaran, Bettiah 4 The Sub-Divisional
Officer, Bagaha, West Champaran.
4. The Superintendent of Police, Bagaha.
5. The Circle Inspector, Bagaha, West Champaran
6. The Officer Incharge, Semara, Bagaha, West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunal Tiwary, Advocate

For the Opposite Party/s : Mr. Saroj Kr. Sharma, AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 05-09-2019 Heard Shri Kunal Tiwary, learned counsel for the

applicant.

This contempt application has been filed contending
that the Division Bench direction dated 19.11.2009 has not been
complied with in letter and spirit and when the applicant
approached this Court by filing CWJC No.6863 of 2015,
interference was declined with the observation that the applicant
may file a contempt application.



The applicant has now come up after more than a year of the passing of the order by the learned Single Judge on 9th of April, 2018 in this contempt application.

Learned counsel for the applicant contends that keeping in view the nature of the recurring inaction on the part of the police authorities, this contempt application would not be barred by limitation.

We are afraid that this contention cannot be accepted that too even after 10 years of the passing of the order.

However, since the learned Single Judge has made an observation on 9th of April, 2018 and more than a year has passed even thereafter, we find it expedient and appropriate to dispose of this contempt application with the observation that in the event, the applicant approaches the Superintendent of Police, he may pass an appropriate order as expeditiously as possible.

With the said observations, the contempt application stands disposed of.

(Amreshwar Pratap Sahi, CJ)

(Ashutosh Kumar, J)

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