

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1326 of 2019

In
Civil Writ Jurisdiction Case No.2490 of 2019

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Dr. Arun Kumar Sinha Son of Late Bimla Sharan Singh Resident of Flat No. 302, Om Residency Apartment, Parwati Path, New Chiragupta Nagar, P.O. Lohiya Nagar, P.S. Patrakarnagar, town and District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Sanjay Kumar, aged about 53 years (Male), father's Name not known to the petitioner, Principal Secretary, Health Department, Government of Bihar, Vikas Bhawan Secretariat, Bailey Road, Patna.
2. Anil Kumar aged about 58 years (Male), father's name not known to the petitioner, Joint Secretary, Health Department, Government of Bihar, Vikas Bhawan Secretariat, Bailey Road, Patna.
3. Vimal Kumar Karak aged about 64 years (Male), father's name not known to the petitioner, Director, Public Health Institute, Near P.M.C.H., Ashok Rajpath, Patna-800004.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar
For the Opposite Party/s : Mr. S.D. Yadav (AAG-9)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-07-2019 Pursuant to the order dated 19.02.2019 passed

by this Court in C.W.J.C. No. 2490 of 2019, the

petitioner preferred a representation before the Principal

Secretary, Health Department, Government of Bihar,

Patna which has now been disposed off intimating the

petitioner that he should join the place where he has

been transferred and no sooner any commensurate post



would become vacant at Patna, he would be posted there.

The observations made in the order dated 19.02.2019 for disposing off the representation of the petitioner has been complied with. However, learned advocate for the petitioner submits that the respondents in their show cause reply have not at all controverted the the statement made by the petitioner that several posts on which the petitioner could be placed are still vacant but deliberately he is not being posted there. He further submits that a false statement has been made in the affidavit only to deflect the gaze of the Court and to save themselves from any action being taken in the contempt jurisdiction.

The order passed by the concerned respondent can be challenged by the petitioner in a fresh proceeding.

So far as this contempt petition is concerned, it cannot be maintained now in view of a reasoned order



having been passed by the concerned respondent.

As noted above, it would be open for the petitioner to challenge the aforesaid order in an appropriate proceeding, if so advised.

The present petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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