

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8652 of 2019

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Lalmuni Kunwar Wife of Late Nathuni Ram, resident of Village Chandwa,
P.O. and P.S. Shivsagar, District- Rohtas at Sasaram. Petitioner/s
Versus

1. The State of Bihar through the Principal Secretary, Department of Food Civil Supply and Consumer Protection, Govt. of Bihar, Patna.
2. The Additional Secretary Department of Food and Consumer protection, Govt. of Bihar, Patna.
3. The District Magistrate Rohtas at Sasaram.
4. The Sub-Divisional Officer, Sasaram, District- Rohtas.
5. The District Supply Officer, Sasaram, District- Rohtas.
6. The Treasury Officer, Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 19-12-2019

Heard learned counsel for the petitioner and learned AC to SC 4 for the respondent State.

By this writ application the petitioner has prayed for a direction to the respondent authorities to grant benefit of first and second time bound promotion to her husband who superannuated on 31.01.1999 from the post of Supply Inspector and later died on 06.05.2017.

It transpires that the husband of the petitioner Late Nathuni Ram had moved this Court for the same relief vide C.W.J.C. No. 2226 of 2017 and the same was disposed off by order dated 22.03.2018 in the following terms.

“The learned counsel for the petitioner submits that the petitioner would be satisfied in case, he is permitted to file a representation regarding his grievance mentioned in the writ petition, before the respondent no. 2.

Accordingly, it is directed that the petitioner may file a detailed representation regarding his grievance mentioned in the writ petition before the



respondent no. 2 within a period of two weeks from today and the respondent no. 2 shall dispose of the same by a reasoned and speaking order within a period of four weeks thereafter.

The writ petition is disposed of in the aforesaid terms”.

It is submitted by learned counsel for the petitioner that inspite of the above direction as given in the order dated 22.03.2018, the District Magistrate, Rohtas at Sasaram has still not passed any order granting benefit of first and second time bound promotion to the husband of the petitioner.

Having heard learned counsel for the parties, the Court is of the opinion that the husband of the petitioner having already filed the above mentioned writ application and the direction already been given by this Court on 22.03.2018, in case the direction contained in the order has not been complied with, the petitioner should have filed a contempt application instead of a fresh writ application.

In view of the above observation, learned counsel for the petitioner seeks permission to withdraw this application with liberty to file a contempt application against non-compliance of the order dated 22.03.2018 passed in C.W.J.C. No. 2226 of 2017.

The application stands disposed off as withdrawn.

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

