

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.890 of 2016

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Naresh Chaudhary, Son of Late Shyamdeo Chaudhary, Resident of Village
P.S.- Panchobh, District - Darbhanga

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Home Affairs, North Block, New Delhi – 110 001.
2. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna
3. The Collector, Darbhanga
4. The Director Intelligence Bureau, M.H.A. 35, S.P. Marg, New Delhi 110021
5. The Joint Director, Intelligence Bureau, Patna Branch, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Naresh Chaudhary (in person)
For the Union of India	:	Mr. S.D. Sanjay, Additional Solicitor General
		Mr. Anshay Bahadur Mathur, CGC
For the State of Bihar	:	Mr. Raj Nandan Prasad, S.C. 9

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date : 16-12-2019

Heard learned counsel for the parties.

2. I have heard the petitioner in person, Mr. S.D. Sanjay, learned Additional Solicitor General for the Union of India and learned S.C. 9 for the State of Bihar.

3. The petitioner is seeking following reliefs in the present writ application filed under Article 226 of the Constitution of India:-

“(i) Respondents No. 3 and 5 be directed to forward the case of the petitioner to the Hon’ble President of India with entire records for awarding Jnanpith Puruskar or any



appropriate award or financial reliefs as per certificate issued by Sainik Board.

(ii) Respondents authorities be directed to consider the relevant records in view of contribution made by the petitioner who furnished detailed information regarding the important events of Second World War in which petitioner's father being a member of Army had served and worked even in India & Basara, Bagdad.

(iii) Respondents competent authority be directed to grant appropriate relief/reliefs in view of contribution made by the petitioner for the sake of Nation".

4. The communication dated 02.08.2014 of the Senior Deputy Collector, General Administration Section, Darbhanga, quashing of which, the petitioner is seeking, has been brought on record by way of Annexure-4 to the writ application. It has been mentioned in the said letter dated 02.08.2014 that, no material was there with his application, which could be the foundation for his claim to be honoured with the said Jnanpith Award".

5. It must be noted at the very outset that when the petitioner appearing in-person was making his mention for hearing of the case on priority basis, this Court had suggested him to have the benefit of engagement of a senior counsel of this



Court, to assist this Court on his behalf at the Court's request, which he had flatly declined. Accordingly, the petitioner was heard in-person on 05.12.2019. In course of his submission, the petitioner stated before this Court, that if a case for grant of *Jnanpith* Award is not made out, this Court may consider issuance of direction to honour him with any of *Padma Awards* namely, *Padma bhushan* or *Padma Shri*. The petitioner claims that his father was appointed as a soldier in Army in 1939 and he was promoted as Havildar/Clerk and served Indian Army from 1941 to 1966 in Baghdad at Basra. It has further been stated that the diary of petitioner's father contains interesting facts which are of much importance for the Nation as a whole, and, therefore, he had represented in this regard in the office of the President of India in 2006.

6. On careful reading of the pleadings in the writ application, it appears that there is absolute lack of coherence. Unfortunately, the writ application has been filed through a learned Advocate of this Court.

7. It appears from the order of this Court dated 28.08.2019 that the conduct of the petitioner in the Court proceedings was found contemptuous inasmuch as he was making attempts to malign the Hon'ble Judge by making false



allegations. Accordingly, he was directed to explain as to why a Contempt Proceeding be not initiated against him. The petitioner has filed his reply to the show cause notice which was accepted by this Court by an order dated 04.09.2019, with a note of caution to the petitioner.

8. *Jnanpith* Award is an Indian literary award sponsored by *Bhartiya Jnanpith* to an author for his outstanding contribution towards literature. No contribution of the petitioner in the field of literature has been mentioned in the writ application.

9. In any view of the matter, this writ application under Article 226 of the Constitution of India, seeking direction to the respondents to confer honour or award cannot be maintained.

10. This writ application is wholly misconceived and is, accordingly dismissed.

11. Let a copy of this order be communicated to the petitioner by the Registry on the address given in the writ application.

(Chakradhari Sharan Singh, J)

S.Ali/-

AFR/NAFR	
CAV DATE	N.A.
Uploading Date	20/12/2019
Transmission Date	N.A.

