

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3370 of 2018

In
Civil Writ Jurisdiction Case No.4984 of 2006

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Chandra Pratap Pathak, S/o Late Raghunath Pathak, R/o Village and P.O.
Nagawa, P.S.- Dubahar, District- Balia (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar.
2. Sri Dinesh Prasad Singh, Special Secretary, PHED, Bihar (Patna).
3. Sri Ashok Kumar Singh Regional Chief Engineer, P.H.E.D., Muzaffarpur.
4. Sri Suresh Prasad Sur Superintending Engineer, P.H.E.D., Chhapra.
5. Sri Manoj Kumar, Executive Engineer, P.H.E.D., Chhapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 20-09-2019 Opposite parties have filed a show cause. From the same it is apparent that departmental proceedings against the petitioner are now being conducted pursuant to order of the writ court dated 15.03.2018.

Opposite parties have also placed on record letter/communication whereby documents have been made available to the petitioner.

There is also reference of letter issued by the Executive Engineer Public Health Division, Chapra indicating that copies of documents in relation to enquiry have been handed over to the petitioner.



Show cause was filed after service on petitioner's counsel on 08.03.2019.

Today when the matter is taken up, counsel for the petitioner vehemently submits that authorities are not proceeding in accordance with law in departmental enquiry. It is also his submission that the documents claimed by the petitioner are being selectively made available and some are still being denied to the petitioner.

This court would not monitor departmental proceedings in the instant contempt proceedings. If petitioner is aggrieved by the procedure adopted in an enquiry or denial of any document relating to his defence, those are issues for which petitioner would have remedy before the authorities or in another proceedings but surely not in contempt proceedings.

Contempt petition is dismissed.

(Madhuresh Prasad, J)

s.hassan/-

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