

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2041 of 2019

In
Letters Patent Appeal No.1628 of 2017

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Dr. Shamsheer Bahadur Singh @ Shemsher Bhadur Singh Son of Late
Parmeshwar Singh resident of M.I.G. 277, Lohianagar, Kankarbagh, Patna-
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... .. Petitioner/s

Versus

1. The State of Bihar through Deepak Kumar the Chief Secretary, Government of Bihar.
2. Deepak Kumar Singh, the Principal Secretary, Department of Labour Resources, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
3. Gopal Meena, the Labour Commissioner, Department of Labour Resources, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
4. S. Siddhartha, the Principal Secretary, Department of Finance, Old Secretariat, Government of Bihar, Patna.
5. Sanjay Kumar, the Principal Secretary, Department of Health, Vikas Bhawan, Government of Bihar, Patna.
6. Satish Kumar Shahi, the Under Secretary, Department of Labour Resources, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ugranath Mallik, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Rastogi (AAG-10)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-07-2019

Heard learned counsel for the applicant and



perused the show-cause affidavits filed on behalf of the respondents as well as the supplementary affidavit filed by the learned counsel for the applicant.

Learned counsel for the applicant contends that as a matter of fact the order which has now been passed in the purported compliance of the directions of this Court is nothing else but a repetition of the earlier order which has already been quashed. In essence, the contention of the learned counsel for the applicant is that the opposite parties have virtually circumvented the observations made by this Court in the final judgment in order to indicate a pretence of compliance.

We have considered the submissions raised and we find that apart from the reasons that were being asserted by the respondents earlier they have proceeded to pass an order in the context of the directions issued by us. Thus, there is an order passed by the authorities which in our opinion amounts to a substantial compliance for passing of an order upon consideration of the claim of the petitioner. The contention which is being advanced on behalf of the applicant will amount to entering upon the merits of the order passed by the authorities which can still be challenged in case the applicant is dissatisfied by filing a fresh writ petition. The disposal of this contempt



application will not prejudice in any way the merits which can be challenged by the applicant before the appropriate Bench.

The application is, accordingly, disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Jagdish/-

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CAV DATE	
Uploading Date	16.07.2019
Transmission Date	

