

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1302 of 2017

In
Civil Writ Jurisdiction Case No.6668 of 2014

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M/s New Shiv Shakti International @ New Shiv Shakti Enterprises Hari Om Commercial Complex Shop No. B - 19, New Dak Banglow Road, Patna through its proprietor, Ram Kishore Singh Son of Ram Naresh Singh Resident of Biscomaun Colony, P.O. - Gulzarbagh, P.S. - Alamganj, District - Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sri Anupam Kumar the District Magistrate Motihari (East Champaran) Cum District - Election Officer, Motihari (East Champaran).
3. Sri Sunil Kumar the District Panchayat Officer Motihari, District - Motihari.
4. Sri Arvind Kumar Choudhary the Chief Secretary Panchayat, Raj Bihar, Patna.
5. Sri Durgesh Nandan the Secretary, State Election Commission, Bihar, Patna.
6. The Block Development Officer, Motihari Sadar Motihari, (East Champaran).

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Phulen Yadav, Advocate
For the State	:	Mr. Dharendra Kumar, AC to AAG 6
For Opposite Party No.5 :		Mr. Amit Shrivastava, Mr. Girish Pandey, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 02-01-2019

Heard learned counsel for the petitioner and learned counsel
for the opposite parties.

2. The present petition has been filed for initiating a contempt proceeding against the opposite parties for willful disobedience of the judgment of this Court dated 18.01.2016 passed in CWJC No. 6668 of 2014 (*M/s New Shiv Shakti International @ New Shiv Shakti Enterprises Vs. The State of Bihar & Ors.*).

3. At the very outset itself, a show cause on behalf of the opposite party no. 5 has been filed categorically stating that the



petitioner has not filed any representation before the Secretary, State Election Commission, Bihar, Patna (opposite party no. 5) and as such, the opposite parties have not acted contumaciously or in defiance of the judgment of this Court.

4. Learned counsel for the petitioner appears and accepts the stand of the opposite party no. 5 to the effect that no representation has so far been filed before the opposite party no. 5.

5. In the above view of the matter, this Court is of the view that no case of contempt is made out against the opposite party no. 5. The contempt petition is dismissed.

(Vikash Jain, J)

BT/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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