

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.364 of 2018

In
Civil Writ Jurisdiction Case No.11621 of 2015

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Dr. Md. Nabi Hassan son of Late Md. Hanif, resident of village- Milki Kajichak, Nagar Panchayat, Sahebganj, Police Station- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Urban Development Department, Government Of Bihar
2. The Commissioner, Tirhut Pramandal, Muzaffarpur namely Sri H.R. Srinivas.
3. The District Magistrate, Muzaffarpur namely Sri Dharmendra Singh.
4. The Nagar Panchayat, Sahebganj through its Executive Officer, Muzaffarpur namely Smt. Punam Kumari.
5. The Executive Officer, Nagar Panchayat, Sahebganj in the District of Muzaffarpur namely.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Vijaya Laxmi Srivastava
Mr.Ranvijay Singh
For the Opposite Party/s : Mr. Rakesh Ambastha, AC to AAG7

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
and
HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

3 14-11-2019 Heard learned Counsel for the petitioner and learned
Counsel appearing for the opposite parties.

This application has been filed by the petitioner for initiating a contempt proceeding for violating the order, dated 02.02.2016 passed by this Court in CWJC No. 11621 of 2015.

By the aforesaid order, dated 02.02.2016, this Court, while allowing the petitioner to withdraw the writ petition, had



granted liberty to the petitioner to make a representation to the Opposite Party No. 4 in writing and upon receiving the representation, the Opposite Party No. 4 was directed to dispose of the same in accordance with law by a speaking order within a period of one month from the date of receipt of the representation.

The contention of the petitioner is that though a representation was filed on 24.02.2016, in compliance with the order, dated 02.02.2016, passed in CWJC No. 11621 of 2015, the same was not disposed of by Opposite Party No. 4, as directed by the Court.

A show cause has been filed on behalf of Opposite Party No. 3, annexing a copy of the office order, dated 14.03.2018, passed by the Execution Officer, Nagar Panchayat, Sahebganj, whereby the representation of the petitioner has been disposed of by making a speaking order.

Keeping in mind the fact that the representation of the petitioner has already been disposed of by Opposite Party No. 4, we do not see any reason to initiate a contempt proceeding against the opposite parties, as no case for initiation of contempt is made out.

Accordingly, this application is dismissed with liberty



to the petitioner that if aggrieved, he may challenge the office order, dated 14.03.2018, passed by the Execution Officer, Nagar Panchayat, Sahebganj, before an appropriate forum in accordance with law.

(Ashwani Kumar Singh, J.)

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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