

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.541 of 2017

In

Civil Writ Jurisdiction Case No.5021 of 2011

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1. Anit Kumar Singh, S/o Late Panchanand Singh, R/o Ramavtar Apartment, Ashiyana Ramnagari More, P.S. Rajiv Nagar, District- Patna.
 2. Raj Kumar, S/o late Prem Chandra, R/o- Village/Moh. Bakarganj, Moharampur, P.S. Pirbahore, Patna, District- Patna.
 3. Vijay Kumar Sinha, S/o Late Bindeshwari Prasad Sinha, R/o Diet Campus, Mohalla- Panchayati Akhara, Gaya, P.S. Kotwali, District- Gaya.
 4. Rana Lalan Narain Singh, S/o Late Jaydutt Narain Singh, Mohalla- Chand Chaura, Gaya, P.S. Civil Line, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rabi Mittal, S/o- Not Known, at present posted as Principal Secretary, Finance Department, Government of Bihar, Patna.
3. Rahul Singh the Additional Secretary (Expenditure) Deptt. of Finance, Govt. of Bihar, Patna.
4. Kameshwar Ojha, the Deputy Secretary, Department of Finance, Govt. of Bihar, Patna (Treasury).
5. Sanjay Kumar Agrawal, the District Magistrate, Patna.
6. Kumar Rabi, the District Magistrate, Gaya.
7. Vinay Kumar, The Treasury Officer, Secretariate Treasury, Vikash Bhawan, Patna.
8. Arbind Kumar Verma, Treasury Officer, Gaya.
9. Sushil Kumar, the Sub-Treasury Officer, Sherghati, District- Gaya.
10. Satya Narain Paswan, S/o- Not Known, at present posted as Treasury Officer, Government of Bihar, Madhubani.
11. Naveen Kumar, S/o- Not Known, at present posted as Accounts Officer, Government of Bihar, District-.....

... .. Contemnors / Respondents

Appearance :

For the Petitioner/s

:

Sri Siyaram Shahi

For the Contemnors/ Respondents:

Sri Ajay Kumar Rastogi - AAG 10

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

7 24-04-2019

Heard Sri Siyaram Shahi, learned counsel



appearing on behalf of the petitioners and Sri Ajay Kumar Rastogi, learned Additional Advocate General No. 10.

The present petition was filed with a prayer to initiate contempt proceeding against opposite parties on an allegation of willful disobedience to an order dated 25.10.2016 passed in C.W.J.C. No. 5021 of 2011.

In this case number of show causes have been filed on behalf of opposite parties. Separate show cause on behalf of Principal Secretary, Finance Department, Government of Bihar has been filed wherein it has been indicated that order of the writ court has already been complied. Similarly separate show causes have been filed on behalf of District Magistrate, Patna as well as Gaya. In both the affidavits stand has been taken that order of the writ court has already been complied. However, Sri Shahi, learned counsel for the petitioner submits that though Principal Secretary, Finance Department, Government of Bihar in compliance with the order of writ court has passed appropriate order which has been brought on record as Annexure – D to the supplementary show cause filed on behalf of opposite party no. 2 and 4 i.e. resolution no. 3562



dated 10.04.2019 but District Magistrates, both Patna and Gaya have not issued order in terms of the order passed by the Principal Secretary, Finance Department, Government of Bihar, Patna.

Considering the fact that order of writ court has already been substantially complied, there is no reason to further keep the matter pending.

The contempt petition stands disposed of with indication that if petitioners feel aggrieved with the action of the District Magistrate, petitioners would be at liberty to avail appropriate remedy.

(Rakesh Kumar, J)

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