

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.716 of 2018

In
Miscellaneous Jurisdiction Case No.4283 of 2016

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Firoz Ahmad S/o Late Farooque Ahmad resident of village - Sahebganj
(Purani Gurhatti), P.O. - Sahebganj, P.S. - Chapra Town, District - Saran
Chapra.

... .. Appellant/s

Versus

1. Mr. Jai Ram Pal The District Agriculture Officer, Saran Chapra.
2. The State of Bihar through D.M. Saran, Mr. Harihar Prasad.

.....Respondents

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Appearance :

For the Appellant/s : Mr.Shri Prakash Srivastava
For the Respondent/s : Mr.Servesch Kr.Singh -Aag13

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 27-06-2019 This appeal under Section 19 of the Contempt of

Courts Act has been filed against an order passed by the learned

Single Judge refusing to issue notice on the allegations of

contempt made by the appellant.

An appeal against such an order would not be

maintainable being misconceived.

Learned counsel submits that the dispute with regard

to the quantum of interest that was indicated in the affidavits

exchanged between the parties clearly indicated that the

appellant was entitled to the payment of interest as well. This

may be a separate cause of action which can be agitated by the



appellant in separate set of proceedings and any orders passed by the learned Single Judge on that issue while refusing to exercise discretion under the Contempt of Courts Act will not be an impediment in the same.

The appeal is, accordingly, consigned to records.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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