

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2526 of 2018

In
Letters Patent Appeal No.1774 of 2010

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Baij Nath Yadav @ Baidh Nath Yadav S/o Late Ram Saran Yadav Resident of
Village- Paraul, Post Office- Rashidpur, Police Station- Manigachhi, District-
Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Sri Sanjay Kumar, The Principal Secretary, Department of Health,
Government of Bihar, Patna.
3. Sri Lokesh Kumar Singh, The Director-in-Chief, Health Services
Department, Government of Bihar, Patna.
4. Uday Kumar Choudhary, The Regional Deputy Director, Health Services,
Darbhanga Division, Darbhanga.
5. Sri Amar Nath Jha, The Civil Surgeon cum Chief Medical Officer,
Madhubani.
6. Sri Karn Kumar, The In-charge Medical Officer, Primary Health Centre,
Ghogharadiha, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate
For the Opposite Party/s : Mr. S.D. Yadav, AAG-9
Mr. Anil Kumar Verma, AC to AAG-9

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 27-02-2020 The petition filed on 17.07.2018 is listed for hearing
for the first time today before the Court.

This application has been filed for initiating a
proceeding of contempt against the contemnors/opposite parties
for their willful and deliberate violation of the judgment and
order dated 23.11.2017 passed in LPA NO. 1774/2010(The State



of Bihar & others Versus Baij Nath Yadav) and other analogous cases.

In view of the order dated 05.12.2018 passed by a co-ordinate Bench of this Court in Civil Review No. 165 of 2011 (The State of Bihar and Ors. Vs. Binay Kumar Singh) and other connected matter, it cannot be said that the action of the respondents in not implementing the directions contained in the judgment dated 05.12.2018 is willful and deliberate.

As such, we dispose of the present petition reserving liberty to the petitioner to initiate appropriate proceedings before the appropriate authority, if need so arises.

(Sanjay Karol, CJ)

(S. Kumar, J)

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