

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.188 of 2020

In

Miscellaneous Jurisdiction Case No.1618 of 2017

Mostt. Usha Barla, W/o Late Sheikh Mahmood Alam, Retired Principal,
Government High School, Bihar Sharif, District- Nalanda, resident of A/7,
Ashok Nagar, Police Station- Argora, District- Ranchi (Jharkhand).

... .. Petitioner

Versus

1. The State of Bihar.
2. The Secretary, R.K. Mahazan, Human Resources Department, at New Secretariat, Bailey Road, Patna, Bihar- 800015.
3. Sri Rajiv Prasad Singh Ranjan, The Director of Secondary Education, Bihar Office of Director of Secondary Education At/P.O./P.S. Patna, District- Patna, Bihar.
4. Smt. Manjula Tiwari, The Regional Deputy Director of Education, Patna Office of Regional Deputy Director of Education, Patna At P.O./P.S.- Patna, District- Nalanda.
5. Dr. Vimal Thakur, The District Education Officer, Nalanda, Office of District Education Office, Nalanda, At/P.O./P.S.-Biharsharif, District- Nalanda.
6. Sri Dharmendra Kumar, The Accountant General, Bihar, Mahalekhar Bhawan, Birchand Patel Marg, R-Block, Patna (Bihar).
7. Anil Kumar Singh, The District Provident Fund Officer, At/P.O./P.S. Biharsharif, District- Nalanda (Bihar).
8. Sarita Kumari, The Principal, Government High School, Ranabigha, Biharsharif, At/P.O./P.S.- Ranabigha, Biharsharif, District- Nalanda (Bihar).

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mrs. Anima Loisa Topno, Advocate

For the Opposite Party/s : Mr. Rakesh Narayan Singh, AC to Ex-AAG-15

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 06-07-2022



This application has been filed by the petitioner for restoration of M.J.C. No.1618 of 2017 which was dismissed due to non-compliance of the peremptory order passed by this Court on 11.09.2019. Vide aforesaid order dated 11.09.2019, the petitioner was granted one week's time to remove the defects, as pointed out by the Stamp Reporter.

2. From a perusal of the prayer made in the aforesaid M.J.C. No.1618 of 2018, it would appear that the same was filed by the petitioner for initiating a contempt proceeding against the opposite parties for non-compliance of the order dated 09.03.2017 passed in C.W.J.C. No.13119 of 2016. It would be evident from the order dated 09.03.2019 passed in C.W.J.C. No.13119 of 2016 that the same was allowed to be withdrawn at the request of the learned counsel for the petitioner in order to file a contempt application.

3. *Prima facie*, this Court is of the opinion that the present application seeking restoration of M.J.C. No.1618 of 2017 is nothing but an abuse of the process of the court, as no relief can be granted to the petitioner even if the same is restored. There is nothing in the order dated 09.03.2017 passed in C.W.J.C. No.13119 of 2016 which would give rise to any contempt application.



4. In that view of the matter, I am not inclined to restore the application. It is dismissed, accordingly.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.07.2022
Transmission Date	NA

