

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.890 of 2021

In
Civil Writ Jurisdiction Case No.879 of 2013

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1. Suman Kant Jha S/O Late Dhananjay Jha R/O Vill - Baijani, P.s. - Jagdishpur, District Bhagalpur, At present Residing at Jhaua Kothi, P.S. - Khanjarpur, District- Bhagalpur.
 2. Shailesh Kumar Singh S/O Late Shaligram Singh R/O Mohalla - Adampur, P.S. Adampur District - Bhagalpur, At present Residing at Mohalla Adampur, P.S. Adampur, District Bhagalpur.
 3. Basant Kumar Singh S/of Shivji Singh R/O Mohalla Jhaua Kothi, Khanjarpur, P.S. Barari, District Bhagalpur, At present residing at Mohalla Jhaua Kothi, Khanjarpur, P.S. Barari, District- Bhagalpur.
 4. Ram Bilas Mandal S/O Late Kamleshwari Prasad Mandal, R/O vill - Shahpur, P.S. Kahalgaon, District Bhagalpur, At present Residing at Jhauakothi QTR. No. 43, Khanjarpur, P.S. Barari, District- Bhagalpur.
 5. Lala Satyendra Prasad Karan S/O Late Mahendra Prasad R/O Mohalla - Badi Khanjarpur, P.S. Barari, District - Bhagalpur, At present Residing at Mohalla - Badi Khanjarpur, P.S. Barari, District- Bhagalpur.
 6. Sugreev Paswan @ Sugriw Paswan S/o Bhuneshwar Paswan R/o Vill. - Shobhanathpur, P.s. Kahalgaon, District- Bhagalpur, At present Residing at Mohalla Jawaripur, P.S. Tilkamajhi, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna, Bihar, namely, Amit Subhani.
2. The District Accounts Officer, Bhagalpur, Bihar, namely, Rajendra Kumar Chandravanshi
3. The District and Sessions Judge, Bhagalpur., namely, Arvind Kumar Pandey
4. The Registrar - cum - Judge in Charge Accounts, Civil Courts, Bhagalpur, namely, Shailendra Kumar Singh.

... .. Opposite Parties/ Contemnors

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Advocate Mr. Anil Kumar Tiwary, Advocate
For the State	:	Mr. Sita Ram Yadav, Advocate
For respondent nos.3 & 4	:	Mr. Satyabir Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 08-08-2022

Heard learned counsel for the parties.

This application has been filed for initiating contempt

proceeding against the opposite parties for wilful and deliberate violation of judgment and order dated 23.02.2018 passed in CWJC No.879 of 2013.

Mr. Satyabir Bharti, learned counsel appearing for respondent nos.3 and 4, has submitted that judgment dated 23.02.2018 passed in CWJC No.879 of 2013, has been duly complied with by disposing of the representation dated 26.03.2018 filed by all the petitioners, as the direction of this Court was that if the case of petitioners is covered by the judgment passed in **L.P.A. No.806 of 2014, (Binay Shankar Shukla Vs. the State of Bihar & Ors.)**, similar benefit is to be accorded to the petitioners but since the case of the petitioners' has been found not to be similarly placed as of Binay Shankar Shukla, similar benefit could not be extended to the petitioners.

Mr. Satyabir Bharti further submits that there was direction of this Court to consider the representation of petitioners for grant of First and Second ACP and same was duly considered by the District and Sessions Judge, Bhagalpur and the District and Sessions Judge by a reasoned and speaking order dated 7.5.2022 rejected the claim of the petitioners, as such, the judgment and order passed by this Court has been duly complied.

After hearing learned counsel for the parties, this Court finds that the representation of the petitioners for grant of first and second ACP has been duly considered by the District and Sessions Judge, Bhagalpur in terms of direction issued by this Court and rejected it by a speaking and reasoned order dated 7.5.2022.

If petitioners are aggrieved by the order dated 7.5.2022 passed by the District and Sessions Judge, Bhagalpur, they are at liberty to challenge said order in an appropriate proceeding.

With aforesaid liberty, contempt petition is disposed of.

(S. Kumar, J)

Sanjay/-

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