

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2328 of 2019

In
Civil Writ Jurisdiction Case No.4763 of 2019

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Arun Deo Singh, son of Late Saryug Singh, resident of Village- Akbarpur,
Ward No. 12, Gram Panchayat- Birsinghpur, Block and Circle and P.S.-
Kalyanpur, P.O.- Vasudeopur Via Navrang, District- Samastipur

... .. Petitioner

Versus

1. The State of Bihar through Mr. Amrit Lal Meena, the Principle Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. Mr. Amrit Lal Meena, the Principle Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. Mr. Chandrashekhar Singh The District Magistrate, Samastipur.
4. Mr. Anugrah Narayan Singh, The District Panchayat Raj Officer, Samastipur.
5. Mr. Chandan Kumar The Block Development Officer, Kalyanpur, Distt-Samastipur.
6. Rekha Devi W/o Lalan Sah, Mukhiya of Birsinghpur Gram Panchayat, Block-Kalyanpur, District-Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Brajesh Kumar, Advocate
For the Opposite Party/s : Mr.Ajay, GA-V

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and Mr.

Ajay, learned G.A.-V for the State.

Petitioner, in the present case, is seeking initiation of a
contempt proceeding against opposite party no. 4 i.e. District
Panchayat Raj Officer, Samastipur for his alleged willful
disobedience and disregard shown to the order dated 17.04.2019
passed in C.W.J.C. No. 4763 of 2019.

While disposing of the said writ application, this



Court in the operative part of the order recorded as under:

“In the given facts and circumstances of the case, this writ application is being disposed of with a direction to the respondent no. 4 to look into the grievance of the petitioner, consider the same and take an appropriate decision thereon within a period of 30 days from the date of receipt/production of a copy of this order. It will be open for the petitioner to cite all such statutory provisions on which learned counsel for the petitioner rely upon in the writ application.”

Learned counsel for the petitioner submits that despite the aforesaid order of this Court the grievance of the petitioner has not been redressed. In paragraph ‘20’ of the contempt application, it is stated that opposite party no. 4 instead of complying with the order has written a letter to the opposite party no. 5 to make available the serial number of voters in the voting list. A copy of the same has also been given to the present petitioner to provide serial number of voters in the voting list.

In paragraph ‘21’, it is stated that all the voters list of the panchayat is available with the opposite party no. 4 and it is only with an intention to violate the order of the Court he had written a letter to the opposite party no. 5.

Mr. Ajay, learned counsel for the State submits that this Court in its order has categorically directed the respondent no. 4 to look into the grievance of the petitioner, consider the



same and take an appropriate decision thereon. The order further states that it will be open for the petitioner to cite all such statutory provisions on which learned counsel for the petitioner relies upon in the writ application.

It is submitted that opposite party no. 4 proceeded immediately with an intention to comply with the order and not only wrote letter to the Block Development Officer, Kalyanpur but also sent a copy of the said letter to the petitioner with a request to make available the serial number of the voters in front of the signatures appearing on the application. The petitioner thereafter did not cooperate and directly moved this Court by filing a contempt application. It is further submitted that over the period fresh panchayat elections have been held in the year 2021, therefore, now the cause of action for which the petitioner was agitating his grievance has become infructuous.

Having noticed the submissions mentioned above and upon finding that the petitioner nowhere claims as to what steps he took upon receipt of the letter from respondent no. 4 as contained in Annexure '3' to the contempt application, this Court is of the view that the petitioner is unable to impress upon this Court to initiate a proceeding for contempt against opposite party no. 4.



This application is, therefore, dismissed.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

