

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2899 of 2018

In
Civil Writ Jurisdiction Case No.17236 of 2017

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Saurabh Kumar Joseph @ Saurabh Joseph Son of late Bimal Kumar Joseph
Resident of Mohalla- Sadar Hospital Line Bazaar, Post and P.S. and District-
Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar, Represented Through The Mr. Anjani Kumar Singh,
Chief Secretary, Government of Bihar, New Secretariat, Patna- 800 001
2. Mr. Pradeep Kumar Jha, District Magistrate, Purnea.
3. Mr. Vishal Sharma, Superintendent of Police, Purnea.
4. Mr. K.K. Muhammed, Secretary, Ancient Monuments and Archeological
Department, Vikas Bhawan, Patna.
5. Mr. D.N. Sinha, Archaeological Officer, Patna.
6. Mr. Raj Kumar Prabhakar, Circle Officer, District- Purnea.
7. Mr. Jacob Johnson Das, Priest, Emmanuel Church, Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samir Kumar, Advocate
For the Opposite Party/s : Mr. Sarvesh Kumar Singh, Advocate
Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 13-09-2023 The present M.J.C./contempt petition is filed for non-

compliance of the order dated 26.02.2018 passed in C.W.J.C.

No. 17236 of 2017.

2. Respondent No. 5 has been specifically directed to

take a decision within a period of three months from the date of

receipt/production of a certified copy of the order dated



26.02.2018 whereas the 5th respondent has taken about five years in complying the order of this Court while passing speaking order on 17.08.2023.

3. Fifth respondent has no respect to this Court insofar as complying the order of this Court. Further he has not sought for any extension of time to comply the order of this Court in C.W.J.C. No. 17236 of 2017 in filing review application. Further, delay of about five years has not been explained. There is enormous delay of five years in complying the order of this Court dated 26.02.2018 on 17.08.2023, therefore, it is a fit case of initiation of contempt proceedings. However, in view of the compliance of the order we impose cost of Rs. 20,000/- (Rupees Twenty Thousand). Cost shall be paid to the petitioner within a period of eight weeks from the date of receipt of copy of this order reserving liberty to the petitioner to file interlocutory application for revival of this order in the event of non-payment of cost.

4. Accordingly, present M.J.C./contempt petition stands dropped.

5. At this juncture, 7th respondent submitted that he has filed review application bearing C.Rev No. 219 of 2023 to the original application. There is no interim order staying the



operation of the order passed in the original writ petition No. 17236 of 2017 dated 26.02.2018. In the absence of interim order, he cannot stall the contempt proceedings. Therefore, the request of 7th respondent to defer this matter stands rejected in view of compliance of the order.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

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