

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.124 of 2022

In
Civil Writ Jurisdiction Case No.10515 of 2020

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1. Lakshman Prasad Mandal S/o late Chamru Mandal R/o Village- Saruwa, P.S.- Bounsi, District- Banka.
 2. Devendra Manjhi S/o Chunchun Manjhi R/o Village- Saruwa, P.S.- Bounsi, District- Banka.
 3. Arvind Kumar Yadav S/o Shaligram Yadav R/o Village- Saruwa, P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Shri Amir Subhani, Government of Bihar, Patna Patna
2. Shri Arvind Kumar Chaudhary, The Principal Secretary, Department of Panchayati Raj Department, Government of Bihar, Patna.
3. Shri Ravi Prakash, The Deputy Development Commissioner- cum- Executive Officer, Banka.
4. Shri Suharsha Bhagat, The District Magistrate, Banka.
5. Shri Surendra Ray, The District Panchayati Raj Officer, Banka.
6. Shri Pankaj Kumar, The Block Development Officer, Bounsi, Banka.
7. Shri Janardan Prasad Yadav, The Block Agriculture Officer, Bounsi, Banka.
8. Shri Gopinath Mandal, The Circle Officer, Bounsi, Banka.
9. Smt. Rekha Devi, Mukhiya, Saruwa, Block- Bounsi, Banka.
10. Shri Sumit Lal Sah, The Panchayat Secretary, Saruwa, Block- Bounsi, Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shilpi Keshri, Advocate
For the Opposite Party/s : Mr.Ajay (Ga 5)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

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

2 04-12-2023 The present MJC is filed for non-compliance of the

order dated 21.06.2021 passed in CWJC No. 10515 of 2020.



2. The limited direction by this Court to the extent that petitioner has to submit representation within a period of four weeks from 21.06.2021, it was complied by the petitioner on 08.07.2021. Thereafter, it was required to be considered by the concerned authority within a period of three months from the date of filing representation.

3. The concerned authority was required to comply in consideration of petitioners grievance read with the orders of this Court on or before 7.10.2021.

4. Thus, there is a delay of about seven months and few days in complying the order. Respondents have not filed any application in seeking extension of time in CWJC No. 10515 of 2020. In the absence of filing application for extension of time and the fact that respondents have committed contempt as on 08.10.2021 till 26.05.2022, the concerned officer has committed contempt.

5. Be that as it may respondents grievance has been redressed on 26.05.2022 in rejecting petitioners grievance and they have remedy of filing fresh petition, since orders have been passed on merit.

6. In view of these facts and circumstances, the present MJC-contempt petition stands dropped while awarding



litigation cost on the ground of delay in implementation at Rs. 5,000/- (Rupees Five Thousand Only). Cost of Rs. 5,000/- (Rupees Five Thousand Only) shall be paid to the petitioners within a period of eight weeks from today. Reserving liberty to the petitioners to assail the order dated 26.05.2022.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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