

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.160 of 2022

In

Civil Writ Jurisdiction Case No.9203 of 2021

Hare Ram Yadav S/o Gonar yadav Resident of Village - Madhopur Post - Sankorthu, P.S. Pandaul, District- Madhubani at present residing in House No. 3, Spring Field Colony Sector - 31 Amarnagar, S/O Faridabad, Hariyana, Pin Code - 121003.

... .. Petitioner/s

Versus

1. The State of Bihar, through Sri Amir Subhani, the Chief Secretary, Government of Bihar, Patna.
2. Sri Arvind Kumar Chaudhary, The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. Sri Chachal Kumar, The Principal Secretary, Department of Home and General Administration, Government of Bihar, Patna.
4. Sri Arvind Kumar Chaudhary, The Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
5. Sri Amit Kumar, The District Magistrate - cum- Deputy Development Commissioner, Madhubani.
6. Sri Rishikesh Sharma, The Additional Collector- cum - First Appellate Authority, Madhubani.
7. Sri Shailendra Kumar, The District Panchayati Raj Officer, Madhubani.
8. Sri Avinshek Ranjan, The Sub - Divisional Officer, Sadar, Madhubani.
9. Dr. Abhijit Chaudhary, The Block Development Officer, Pandaul, District Madhubani.
10. Smt. Zeva Zaveen @ Zeva Praveen W/o Sri Nasim Ahmad, The Ex-Mukhiya of Gram Panchayat Sankorthu, Resident of Village - Madhopur, Post - Sankorthu, P.S. - Pandaul, District- Madhubani.
11. Sri Ramesh Kumar Singh, The Panchayat Secretary of Gram Panchayat Sankorthu, resident of Village - Madhopur, Post - Sankorthu, P.S. Pandaul, District- Madhubani.
12. Sri Suman Kumar, The Block Programme Officer, Pandaul Block, District- Madhubani.
13. Sri Ratan Lal Yadav, The then Panchayat Rojgar Sewak, Gram Panchayat, Sonkorthu, Post - Sankorthu, Pandaul Block, District- Madhubani.
14. Sri Subhash Chandra Bose, The present Panchayat Rojgar Sewak, Sankorthu Gram Panchayat, Pandaul Block, Post - Sankorthu District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia, Advocate
For the Opposite Party/s : Mr. S. Raza Ahmad (AAG 5)



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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)

6 02-11-2023 Pursuant to our previous order dated 11.10.2023, Mr. Ashwani Kumar, Sub-Divisional Officer, Sadar, Madhubani is present in the Court.

02. The present M.J.C. (contempt petition) is filed for non-compliance of the order dated 20.07.2021 passed in C.W.J.C. No. 9203 of 2021 read with petitioner's representation dated 02.08.2021.

03. The concerned authority-Sub Divisional Officer, Sadar, Madhubani was required to take decision on the petitioner's representation within four weeks. For non-compliance thereof, the petitioner has presented this petition in the year 2022. Thereafter, the Sub-Divisional Officer has taken one year to decide the petitioner's grievance in compliance of the orders of this Court dated 20.07.2021. However, still the compliance is in partial. In other words, the Sub-Divisional Officer has already taken a decision and recommended it to the District Magistrate, Madhubani and thereafter the District Magistrate has forwarded the same to the Commissioner for taking further steps in the matter. Therefore, the District



Magistrate, Madhubani, is hereby directed to follow up the matter with the Commissioner and see that there should be finality within a period two months from today.

04. With the above observation, the present M.J.C. stands dropped, reserving liberty to the petitioner to file Interlocutory Application for revival of this order in the event of Commissioner in not passing final order within the time limit stipulated supra.

05. The overall delay in complying the orders of this Court is more than two years and few months. *Prima facie*, the respondent-Sub Divisional Officer, Sadar, Madhubani has committed contempt. However, delay in implementation of orders of this Court, imposition of cost would suffice. Therefore, the litigation cost of Rs. 5,000/- (five thousand) shall be paid to the petitioner by the office of the Sub-Divisional Officer, Sadar, Madhubani within a period of eight weeks from the date of receipt of a copy of this order.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Ashish/-
Annu Kumar/-

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