

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.648 of 2021

In

Civil Writ Jurisdiction Case No.19441 of 2019

Shyam Narayan Prasad Son of Late Bulaki Mahto, Resident of Village and Post Office-Parthu, Police Station-Ekangarsarai, District-Nalanda, State-Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar, through Sri Sanjay Kumar Agrawal Bihar State Transport Commissioner, Bihar, Patna.
2. Sri Sanjay Kumar Agrawal The Bihar State Transport Commissioner, Bihar, Patna.
3. Sri Manoj Kumar The District Transport Officer, Nalanda at Biharsharif.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birmani Kumar, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh, GP26

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

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

4 01-09-2023 The present MJC is filed for non-compliance of the order dated 09.01.2020 passed in CWJC No. 19441 of 2019.

2. The grievance of the petitioner is relating to exemption/waiver of road tax and extra additional tax like fitness tax, etc., in respect of two trucks nos. BR-21C-8551 & BR-21D-5851 for certain disputed period. In this regard, this Court has directed the petitioner to file a fresh request, accordingly, the petitioner has filed request on 15.01.2020, and it was not decided by the concerned authority in the light of directions of this Court on 09.01.2020 which has compelled to the petitioner to approach this Court in filing Contempt of Court petition. During pendency of the present contempt petition, the



concerned authority has passed order on 29.08.2023, and the same has been placed on record by means of show-cause.

3. In the light of these facts and circumstances, the present MJC – contempt petition stands dropped, reserving liberty to the petitioner to invoke appropriate statutory remedy available against the order dated 29.08.2023.

4. The present contempt petition is dropped with a cost of Rs. 10,000/- (Rupees Ten Thousand Only). Cost shall be paid to the petitioner within a period of four weeks. For the reasons that this Court order dated 09.01.2020 directing the petitioner to furnish his request. Such request was furnished on 15.01.2020. Thereafter, the concerned authority was required to pass order within a period of three months, i.e., on or before 14.04.2020 whereas the concerned respondent has taken 3 years and 4 months in deciding the petitioner's request dated 15.01.2020 read with orders of this Court dated 09.01.2020 while violating the specific direction. Further there is no application to seek extension of time to comply the orders of this Court.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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