

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.829 of 2021

In
Letters Patent Appeal No.963 of 2011

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Kedar Nath Ram, male, aged about 75 years, Son of Late Tileshwar Ram
Resident of Mohalla- Road No. 12, Rajeev Nagar, P.s.- Rajeev Nagar,
District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Divesh Sehara, the Finance Secretary, Department of Finance, Government of Bihar, Old Secretariat, Patna
3. Dr. Pratima the Commissioner-cum-Secretary, Commercial Tax, Department of Finance, Government of Bihar, New Secretariat, Patna
4. Surya Kishore Prasad the Under Secretary, Finance (Commercial Tax), Department of Finance, Government of Bihar, Patna
5. Sanjeev Kumar the Commissioner of Departmental Enquiry, Old Secretariat, Government of Bihar, Patna
6. Ramadhar Singh the Joint Commissioner of Commercial Tax, Bhagalpur Division, Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate
For the Opposite Party/s : Mr. Sriram Krishna, AC to SC 11

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

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

3 26-07-2023 The present M.J.C./contempt petition is filed for non-compliance of the order dated 11.07.2011 passed in L.P.A. No. 963 of 2011. The petitioner filed C.W.J.C. No. 8268 of 2015 for implementation of the order passed in L.P.A. No. 963 of 2011 dated 11.07.2011 and it was disposed of on 24.07.2019 on the score that the petitioner has a remedy of filing contempt petition



insofar as implementation of the order dated 11.07.2011 passed in L.P.A. No. 963 of 2011.

2. The present M.J.C. is filed for non compliance of the order dated 11.07.2011 and it is more than a decade in filing M.J.C. Therefore, present M.J.C. petition is not maintainable in the light of Section 20 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution.

3. Recently, we have decided M.J.C. No. 1840 of 2023 on the score of delay in filing contempt petition. In the light of aforementioned decision, the present M.J.C./contempt petition stands dismissed as not maintainable.

4. Dismissal of the present M.J.C./contempt petition No. 829 of 2021 would not come in the way of the petitioner to file review petition in C.W.J.C No. 8268 of 2015 or to file L.P.A against the order dated 24.07.2019.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

GAURAV S./-

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