

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.724 of 2023

In

Civil Writ Jurisdiction Case No.3050 of 2021

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1. Manoj Kumar Ram S/o Mukti Nath Ram @ Mukti Nath Mochi, Resident of Village - Amala Toli, Chirchiri Bujurg, P.S. - Rajnagar, District - Madhubani, at present working as clerk at Public Health Centre, Ladania, District - Madhubani.
 2. Gopal Prasad Sah, S/o Late Rameshwar Sah, Resident of Village - Mahadev Math, District- Madhubani, at present working as Clerk at Public Health Centre, Laukahi, District - Madhubani.
 3. Santosh Kumar, S/o Late Raghu Nandan Prasad, Resident of Mohalla, Vidyapati Nagar, P.S. Rajnagar, District - Madhubani, at present working as Clerk at Public Health Centre, Harlakhi, District - Madhubani.
 4. Hemant Kumar, S/o Late Ram Sundar Bhandari, Resident of Village - Bodhai Bhandari Tola, P.S. - Lakhanaur, District- Madhubani, at present working as Clerk at Referral Hospital Janjharpur, District - Madhubani.

.. ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Main Secretariat Patna.
2. Dr. B. Rajender, the Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. Sri Lokesh Kumar Singh, the Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. Sri Arvind Kumar Verma, the District Magistrate, Madhubani.
5. Dr. Rishikant Pandey, the Civil Surgeon-cum-Chief Medical Officer, Madhubani.

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar, Advocate
For the Opposite Party/s : Mr. Manish Kumar, GP 4

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL ORDER

3 15-12-2023 The present MJC/contempt application is filed for non-compliance of the order dated 29.01.2022 passed in CWJC No. 3050 of 2021. The only direction is to consider the petitioner's representation by the competent authority in passing a speaking order and communicate it to the petitioner within a reasonable period of time. Whereas the respondents have taken



more than one year in complying the order.

2. Nodoubt there is no time limit stipulated in the order dated 29.01.2022. It is ordered that '*within a reasonable period of time*'. Courts have time and again held that in the absence of any time limit stipulated in the order, one has to draw inference that reasonable time would be three months. In the present case, the respondents has taken more than one year with reference to date of order dated 29.01.2022, read with representation and order of the compliance dated 09.12.2023.

3. Accordingly, present MJC/contempt application stands dropped.

4. On account of delay on the part of the concerned respondent, there is no application seeking extension of time to comply the order of this Court, therefore, petitioner is entitled to litigation cost and it is quantified @ Rs. 5,000/- (Rupees Five Thousand). Cost shall be paid to the petitioner by the author of the order dated 09.12.2023 from his pocket and not from the department reserving liberty to the petitioner to assail the order dated 09.12.2023, in accordance with law.

(P. B. Bajanthri, J)

GAURAV S./-

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