

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.508 of 2022

In

Civil Writ Jurisdiction Case No.7013 of 2020

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Garg Drugs, through its Proprietor, Santosh Kumar Agarwal, Male, aged about 51 years, Son of Late Mahavir Prasad Agarwal, At- Near Janta Hotel, Babu Tola Lane, Govindmitra Road, P.S. - Pirbahore, Patna, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Pratyaya Amrit, Principal Secretary Department of Health, Government of Bihar, Patna.
2. Mr. Pratyaya Amrit, Principal Secretary, Department of Health, Government of Bihar, Patna.
3. Mr. Arvind Kumar, the Civil Surgeon - Cum - Chief Medical Officer, Arwal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bibhakar Tiwary, Advocate

For the Opposite Party/s : Mr.S.D. Yadav(Aag 9)

Mr.Anil Kr. Verma, Ac to Aag 9

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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)

8 03-11-2023 The present MJC is filed for non-compliance of the order dated 15.11.2021 passed in CWJC No. 7013 of 2020, claim of the petitioner is that respondents have failed to make payment against supply of certain drugs and for certain period. In this regard, petitioner is stated to have submitted a representation on 26.11.2021 in the light of orders of this Court dated 15.11.2021 passed in CWJC No. 7013 of 2020.

2. By means of show-cause respondents are disputing that there were no agreements. When the petitioner was asked to



apprise this Court in respect of supply order, he is unable to apprise this Court. Therefore, scope of contempt is limited as to whether orders of this Court has been complied or not? Direction is to consider petitioner's representation and it has been rejected. Claim of the petitioner has been declined in such an event petitioner has fresh cause of action. He is at liberty to question the decision of the respondents in declining certain payments for the certain disputed period.

3. With the above observation, the present MJC/contempt petition No. 508 of 2022 stands dropped.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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