

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.947 of 2020

In

Civil Writ Jurisdiction Case No.17690 of 2014

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M/s Milith Karv Engineering and Trading Pvt. Ltd. having Local office at Harnout, Biharshariff, Dist- Nalanda through its authorized representative and signatory Shri Shyam Lal Khandelwal son of late Jagdish Prasad.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. Shri Ravi Mittal S/o not known, the Commissioner of Finance, State of Bihar.
3. Shri S. Pratima, S/o not known, the Commissioner of Commercial Taxes, New Secretariat.
4. Sri Ram Prakash Sinha S/o not known, the Deputy Commissioner of Patliputra Circle, Patna.
5. Shri Vijay Kumar S/o not known, Deputy Commissioner North Circle, Patna.
6. Shri Navin Kumar S/o not known, the Asstt. Commissioner, Biharshariff Circle, Nalanda.
7. Shri Santosh Kumar Jha S/o not known, the Joint Commissioner, Commercial Taxes Administration, Patna.
8. Shri Dr. Madan Kumar Chaudhary Deputy Commissioner, Biharshariff Nalanda.
9. Shri Shankar Kumar Mishra, Joint Commissioner Commercial Taxes, Administration, East West Division.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.

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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)

8 19-06-2023 Perusal of the previous order, it is impracticable to

decide all these contempt matters together for the reasons that

opposite party is not only State but in some of the matters,



Bank, Corporation and various Statutory Authorities were required to comply different orders of this Court. In other words, in some of the matters, State Government is a formal party. Therefore, we are of the view that each individual MJC (contempt) is required to be decided on its own merit. Therefore, we are taking MJC (contempt) on individual case basis.

The present MJC is against the judgment dated 23.02.2015, passed in C.W.J.C. No. 17690 of 2014. The MJC is filed in the year 2020. The contempt petition is not maintainable, since it is not filed within one year from the date of the order. Therefore, *prima facie*, the present MJC- contempt petition is not maintainable on the ground of delay, read with Section 20 of the Contempt of Court Act, 1971, reserving liberty to invoke appropriate remedy by the petitioner.

Accordingly, the present contempt petition stands dropped.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

Amrendra/-

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