

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.582 of 2022

In

Civil Writ Jurisdiction Case No.8213 of 2021

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Arun Kumar Upadhyay, aged about 52 years, Male Son of Dhanush Dhari Upadhyay, Resident of Village - Barahuli, P.O. Sonhan, P.S. Bhabua, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Cooperative Department, Bihar, Patna namely Smt. Bandana Preyasi.
2. The District Magistrate Cum - Collector, Kaimur at Bhabua namely Sri Navdeep Shukla.
3. The Block Development Officer, Bhabua Cum Election Officer (PACS) District - Kaimur at Bhabua namely Sri Shashikant Sharma.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg
For the Opposite Party/s : Mr.Amit Prakash (Ga 13)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAMESH CHAND

MALVIYA

ORAL JUDGMENT

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

Date : 06-12-2023

The present MJC is filed for non-compliance of the order dated 19.07.2021 passed in CWJC No. 8213 of 2021. Direction is to consider the petitioner's representation to the concerned authority. The concerned authority proceeded to examine the grievance of the petitioner stated in the representation and proceeded to pass order, while rejecting the petitioner's grievance. In such circumstances, the petitioner has remedy of



filing fresh petition in challenging the impugned action dated 02.08.2021 passed by the concerned authority. Validity of the rejection cannot be examined in the Contempt of Court proceedings, when there is direction only to consider representation.

2. Accordingly, the present MJC contempt petition, stands dropped reserving liberty to the petitioner to questioning the validity of the order dated 02.08.2021, in accordance with law.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	07.12.2023
Transmission Date	

