

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1071 of 2023

In

Civil Writ Jurisdiction Case No.4851 of 2019

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Sawan Kumar Gurmaita Son of Shri Surendra Prasad Gurmaita, Residence of Ward No. 5, Aasha, Pokhar, Jhanjhpatti,P.S.- Madhubani Town, District-Madhubani, Bihar- 847227.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Shri Chaitanya Prasad, the Principal Secretary, Home Department Government of Bihar, Patna.
2. Mr. Sanjay Kumar The Principal Secretary, Education Department, Government of Bihar, Patna.
3. Mr. Dr. Chandra Shekhar Singh The District Magistrate, Patna.
4. Sri Rajiv Mishra The Senior Superintendent of Police, Patna.
5. Mr. Pramod Kumar Yadav The Superintendent of Police, Patna.
6. Mr. Amit Kumar The District Education Officer, Patna.
7. Mr. Lalbabu Yadav The Officer-in-Charge, Bahadurpur Police Station, Patna.
8. Mr. Anand Kishore The Chairman, Bihar School Examination Board, Patna.
9. Mr. Pramod Kumar The Secretary, Bihar School Examination Board, Patna.
10. Mr. Vinod Kumar Singh The Chief Vigilance Officer, Bihar School Examination Board, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Upendra Kumar Singh, Advocate
For the State	:	Mr.Binay Kumar Pandey, AC to GA2
For the BSEB	:	Mr.Satyabir Bharti, Advocate
		Mr.Abhishek Anand, Advocate

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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)

5 17-08-2023 The present MJC – contempt petition is filed for non-compliance of the order dated 21.11.2019 passed in CWJC No. 4851 of 2019.



2. The present MJC – contempt petition is filed in the year 2023, therefore, it is not in accordance with Section 20 of the Contempt of Courts Act, 1971.

3. Learned counsel for the petitioner submitted that during the COVID-19 period petitioner is entitled to exemption insofar as delay is concerned. Even such exemption is taken not of still there is a delay for the reasons that COVID-19 period was over in the month of 1st March, 2022. Whereas, the present contempt petition is filed on 18.04.2023. Therefore, the present MJC – contempt petition is not maintainable in the light of our decision dated 24.07.2023 rendered in MJC No. 1840 of 2023 (*Dr. Rajesh Kumar Sinha & Ors. vs. Union of India & Ors.*).

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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