

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1127 of 2023

In
Civil Writ Jurisdiction Case No.3699 of 2023

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Om Prakash Nirala Son of Ramavarat Nirala, Resident of Village- Rahim Bigha, P.O. Bara (Chakand), P.S. Chakand, District- Gaya, Presently the Chairman of Primary Agriculture Credit Cooperative Societies, Bara, P.O. and P.S. Chakand, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Through Sri Amir Subhani (Male) Son of not Known to the Petitioner, Presently Posted as the Chief Secretary, Government of Bihar, Patna.
2. Smt. Vandana Pryesh (Female), Son of not Known to the Petitioner, Presently Posted as the Principal Secretary, Department of Cooperative, Government of Bihar, Patna.
3. Sri Indraveer Kumar Son of not Known to the Petitioner, Presently Posted as the Sub-Divisional Officer, Sadar Gaya, District-Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam Mr. Awnish Kumar
For the Opposite Party/s	:	Mr. Amit Prakash (Ga 13)
For the State	:	Mr. Ravi Bhardwaj
For the O.P.	:	Mr. Amit Shrivastava
	:	Mr. Girish Pandey
For the Bank	:	Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 05-07-2023 Heard learned counsel for the petitioner, learned GA-13, Mr. Amit Prakash, learned senior counsel, Mr. Amit Shrivastava, for respondent No. 11 in the writ application and learned counsel for the Bank, Shri Sanjay Kumar.

Learned senior counsel appearing on behalf of the respondent No. 11 in the writ application submits that though the respondent No. 11 was a party in the writ application but in the contempt application, neither respondent No. 11 nor the bank was impleaded as opposite party and thus they have appeared *suo moto*. It



is next submitted by the learned senior counsel for the respondent No. 11 in the writ application that an interlocutory application has also been filed in the contempt application for impleading him as opposite party.

The interlocutory application is allowed.

Learned counsel for the petitioner next submits that the present contempt application was filed alleging violation of the order dated 22.03.2023 in CWJC No. 3699 of 2023 but the present Additional Chief Secretary of the Co-operative Department in compliance of the order dated 22.03.2023 in CWJC No. 3699 of 2023 has passed a reasoned order and thus seeks permission to withdraw the contempt application.

At this stage, the learned senior counsel appearing for respondent No. 11 seeks liberty to challenge the order dated 03.07.2023 passed by the present Additional Chief Secretary of the Co-operative Department, if so advised.

The liberty is always there.

Considering the submissions made by the learned counsel for the petitioner, the contempt application is permitted to be withdrawn.

(Satyavrat Verma, J)

HarshPandey/-

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