

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1153 of 2023

In
Miscellaneous Jurisdiction Case No.1664 of 2022

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Uday Shankar Prasad Singh Son of Ram Dharikshan Singh, resident of Village and P.O. Baghakhal, District- Muzaffarpur, Presently residing at New Colony, Balughat, Road No. 3, Muzaffarpur, the retired Junior Engineer, Muzaffarpur Municipal Corporation, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Amir Subhani, Son of not known to the petitioner presently posted as the Chief Secretary, Government of Bihar, Patna.
2. Sri Anand Kishore Son of not known to the petitioner Presently posted as the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. Sri Ashutosh Dwivedi Son of not known to the petitioner presently posted as the Municipal Commissioner, The Muzaffarpur Municipal Corporation, Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Yogendra Prasad Sinha (AAG 7)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

2 15-09-2023 The present MJC-contempt petition is filed for non-compliance of certain orders.

2. Perusal of Annexure-P/1 dated 15.03.2023 passed in M.J.C. No.1664 of 2022, it is evident that earlier contempt petition was dropped reserving liberty to the petitioner to question the validity of such action before the appropriate forum in the event of disputing amount paid to him. Therefore, it is very specific in asking the petitioner to invoke remedy of filing writ petition and not once again in filing contempt petition or



Revival of contempt petition. Further it is noticed from the description of document in the index it is mentioned as "An application under Article 226 of the Constitution of India with affidavit and Identity Card." Even on the 1st page of MJC it is repeated. Application should have been filed under Contempt of Court Rules. The above MJC is filed in a very casual manner and there is no seriousness in drafting the pleadings. Therefore, the present revival or second contempt petition stands dismissed with cost of Rs. 2500/-. Cost shall be paid to the Patna High Court Legal Services Committee within a period of eight weeks from today, since liberty was not given to the petitioner to file contempt petition or for revival.

(P. B. Bajanthri, J)

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