

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1702 of 2021

In
Letters Patent Appeal No.318 of 2021

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Dr. Pawan Kumar, son of Late Surendra Mohan Prasad, resident of A-31,
Jagat Aajatna Apartment, Opposite P.N. Anglo School, Naya Tola, P.O.-
Bankipore, P.S.-Pirbahore, District-Patna, Bihar-800004.

... .. Petitioner/s

Versus

1. Dr. (Prof.) Nihar Ranjan Biswas, son of not known, Director, Indira Gandhi Institute of Medical Science, Bailey Road, Patna.
2. Dr. (Prof.) Santosh Kumar, son of not known, Head of Department of Orthopedics, Indira Gandhi Institute of Medical Science, Bailey Road, Patna.
3. Sri Sanjai Kumar, son of not known, Administrative Officer, Indira Gandhi Institute of Medical Science, Bailey Road, Patna.
4. Dr. Kumar Chandan, son of Sri Shashi Nath Roy, Assistant Professor, Head of Department of Orthopedics, Indira Gandhi Institute of Medical Science, Bailey Road, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Singh, Advocate
Mr. Y.V. Giri, Sr. Advocate
Ms. Shrishti Singh, Advocate
Mr. Pranav Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

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

8 29-11-2023 The present MJC is filed for non-compliance of the

order dated 29.06.2021 passed in LPA No. 318 of 2021 read

with order dated 28.05.2021. On 01.11.2023 the following order

was passed:

“Prima facie, the petitioner has



made out a case for initiation of contempt proceedings against the Administrative Officer, IGIMS, Patna.

2. Perusal of the order dated 28.05.2021 passed in L.P.A. No.318 of 2021, it is evident that this Court had directed status-quo as on date be maintained. This has not been modified, cancelled or reviewed either by this Court or superior Court to this Court. Therefore, status-quo order is intact even to this date. In the meanwhile, on 20th July, 2021, certain service conditions of the 4th Respondent has been altered. Therefore, Administrative Officer, IGIMS, Patna, has committed contempt. He is permitted to withdraw Office Memorandum dated 20th July, 2021 after giving due notice to the 4th Respondent whose rights are likely to be affected. The above action would be undertaken before the next date of hearing failing which Contempt of Courts action would be initiated against the Administrative Officer, IGIMS, Patna, under Rule 7(i) read with Form 1 of Chapter XXVIII of Rules of the High Court at Patna framed under the Contempt of Courts Act, 1971 (Act 70 of 1971)

2. Today, learned counsel for the respondent filed additional show cause in which the order dated 21.11.2023 has



been placed on record by which the office memorandum dated 28th July 2021, by which the fourth respondent was given certain service benefits and it has been withdrawn in the guise of order passed in LPA No. 318 of 2021 dated 28.05.2021 insofar as “we direct status quo as on date be maintained.”

3. In the light of these developments, the present MJC stands dropped.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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