

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1429 of 2022

In
Civil Writ Jurisdiction Case No.19102 of 2018

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Neeraj Kumar, aged about 42 years, Gener-Male, Son of Yugal Kishore Pandey Resident of House No. A/14, Road No. 14, Rajeev Nagar, P.S. Rajeev Nagar, Patna, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna having office in Old Secretariat, Patna namely Mr. Amir Subhani, Son of not known to the petitioner.
3. The Principal Secretary, Urban Development, Government of Bihar, Patna having office near Rajbanshi Nagar, Patna namely Mr. Manoj Kumar Singh, son of not known to the petitioner.
4. The Chairman-cum-Managing Director, Bihar State Power Holding Company Limited (BSPHCL), having office in Vidyut Bhawan, Jawaharlal Nehru Marg, Patna namely Mr. Sanjeev Hans Son of not known to the petitioner.
5. The Commissioner-cum-Secretary Road Construction Department, Government of Bihar, Patna having office in Vishweshwaraiya Bhawan, Jawaharlal Nehru Marg, Patna namely Mr. Sandeep Kumar Pudakalkatti, Son of not known to the petitioner.
6. The Engineer-in-Chief, New Capital Road Division, Road Construction Department, Government of Bihar, Patna having office in Vishweshwaraiya Bhawan, Jawaharlal Nehru Marg, Patna namely Hanuman Prasad Choudhary Son of not known to the petitioner.
7. The Chief Engineer, New Capital Road Division, Road Construction Department, Government of Bihar, Patna having office in Vishweshwaraiya Bhawan, Jawaharlal Nehru Marg, Patna namely Dinesh Kumar Mishra Son of not known to the Petitioner.
8. The District Magistrate, Patna, Mr. Chandra Shekhar Singh having office in Patna Collectorate near Gandhi Maidan, Patna son of not known to the petitioner.
9. The Municipal Commissioner, Patna Municipal Corporation, Patna namely, Mr. Animesh Kumar Parashar, having office in Mourya Lok Complex, Patna Son of not known to the petitioner.
10. The Superintending Engineer, New Capital Road Division, Road Construction Department, Government of Bihar, Patna having office in Vishweshwaraiya Bhawan, Jawaharlal Nehru Marg, Patna namely Ajay Kumar Singh, Son of not known to the petitioner.
11. The Executive Engineer, New Capital Road Division, Road Construction Department, Government of Bihar, Patna having office in Vishweshwaraiya Bhawan, Jawaharlal Nehru Marg, Patna namely Shailesh Mishra, Son of



not known to the petitioner.

12. The Executive Officer, Patna Municipal Corporation, Patna having office near Boring Road, Near Sri Krishna Puri Park, Patna namely Mrs. Pratibha Sinha, Wife of not known to the petitioner.
13. The Circle Officer, Patna Sadar, District- Patna having office near East Gandhi Maidan Road, Patna namely Mr. Praveen Kumar Pandey, Son of not known to the petitioner.
14. The Senior Superintendent of Police, Patna having office near Gandhi Maidan, Patna namely Mr. Manavjit Singh Dhillon, Son of not known to the Petitioner.
15. The Superintendent of Police, Traffic, Patna, having office near Gandhi Maidan, Patna namely Mr. Anil Kumar, Son of not known to the Petitioner.
16. The District Transport Officer, having office at DTO Office, Bank Road, West Gandhi Maidan, Chajju Bagh, Patna namely Mr. Ajay Kumar Thakur, Son of not known to the petitioner.
17. The Station House Officer, P.S.- Rajeev Nagar, Patna having office in Ashiana- Digha Road, Patna namely Mr. Neeraj Kumar Son of not known to the Petitioner.

... .. Opposite Party/s

Appearance :

For the State	:	Mr. P. K. Shahi, learned Advocate General. Mr. Y. P. Sinha, AAG – 7. Mr. Shankar Kumar, AC to AAG 7.
For the Petitioner/s	:	Mr. Ravindra Kumar Singh, Advocate
For the PMC	:	Mr. Prasoon Sinha, Advocate Mr. Amarnath Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 15-12-2023

The present MJC has been filed for non-compliance of the order dated 06.01.2020 passed in CWJC No.19102 of 2018. Directions are in two fold, namely, this Court had directed the petitioner to submit fresh representation within a period of four weeks from 06.01.2020. Petitioner is stated to have



furnished representation on 18.02.2020. The second direction is to the concerned respondents to consider the grievance of the petitioner within a period of three months from the date of receipt of petitioner's representation.

2. For non-compliance of the orders of this Court, petitioner has presented this MJC. During the pendency of the MJC, the respondents have opened their eyes in the year 2022 and 2023 and various orders have been passed by different departments, having regard to the multiple reliefs sought by the petitioner in his representation.

3. Compliance orders are stated to have been issued on 24.09.2022 to 16.11.2023 by various departments. The concerned respondents should have complied the orders of this Court on or before 17.05.2020. If they have any administrative difficulty in implementation of the orders of this Court read with petitioner's representation, in that event, they had remedy of approaching this Court in the very same petition in seeking extension of time, filing of civil review petition or invoking remedy before the Apex Court. None of the remedies had been invoked by the official respondents, on the other hand respective respondents slept over the matter, therefore, they have committed contempt of Court. Instead of taking contempt of



court action, while framing charges and proceed with the matter, it is appropriate to impose fine for the reasons that there is a compliance of orders of this Court read with the petitioner’s representation belatedly by years together. Therefore, we are of the view that fine of Rs.20,000/-would suffice in respect of delay in compliance. Cost of Rs.20,000/- shall be paid by the State respondents to the petitioner within a period of eight weeks from today. Reserving liberty to the petitioner to assail such of those orders which are not in accordance with the petitioner’s grievance in his representation or if he has fresh cause of action in respect of any of the issue, he is at liberty to invoke appropriate remedy and in accordance with law.

4. Accordingly, MJC stands dropped.

(P. B. Bajanthri, J)

(Purnendu Singh, J)

Sanjay/-
Mantreshwar

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.12.2023
Transmission Date	NA

