

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1592 of 2022

In

Civil Writ Jurisdiction Case No.5740 of 2021

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M/s. Shree Cement Limited, (its unit M/s. Bihar Cement Plant), a Limited Company incorporated under the provisions of Companies Act, 1956, having its registered office at Bangur Nagar, Beawar, District Ajmer (Rajasthan) and its Production Unit at Jasoia More, P.S.- Aurangabad, District- Aurangabad through its Authorised Signatory namely Anil Kumar Talwar, aged about 64 years, Male, S/o Late Shri Amar Nath Talwar, Resident of Flat No. F-2, Bandhu Vihar Apartment, Plot No. 11, Sector- 10 Market, P.S.- Dwarka, District- New Delhi (Delhi- 110075).

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Amir Subhani, Male, Aged about 58 years, The Chief Secretary, Government of Bihar, Patna.
2. Smt. Dr. Pratima, Female, Aged about 56 years, Principal Secretary-cum-Commissioner, Commercial Taxes now known as Department of Commercial Taxes (State), Government of Bihar, Patna.
3. Sri Sandeep Poundrik, Male, Aged about 56 years, presently posted as the Principal Secretary, Department of Industry, Government of Bihar, Patna.
4. Sri Pratyaya Amrit, Male, Aged about 52 years, presently posted as the Principal Secretary, Department of Energy, Government of Bihar, Patna.
5. Sri Pankaj Dixit, Male, Aged about 50 Years, presently posted as Director of Industries, Department of Industry, Government of Bihar, Patna.
6. Sri Ajitabh Mishra, Male, Aged about 56 years, presently posted as the Deputy Commissioner of Commercial Taxes, now known as Joint Commissioner of State Taxes, Patna, Special Circle, Patna.
7. Sri Santosh Kumar, Male, Aged about 36 years, presently posted as The General Manager, Bihar Industrial Area Development Authority, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Brisketu Sharan Pandey, Advocate Mr.Abhishek Kumar, Advocate Mr.Madan Kumar, Advocate
For the Opposite Party/s :		Mr.Sriram Krishna, Ac to Sc 11

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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)

7 04-09-2023

The present MJC - contempt petition is filed for non-compliance of the order dated 30.06.2022 passed in CWJC No. 5740 of 2021.

2. Perusal of the order of this Court, the petitioner was



asked to submit their say and the same is required to be considered by the concerned official. The petitioner is stated to have submitted a detailed representation on 08.07.2022 and order has been passed on 21.11.2022 *vide* Annexure-B to the second supplementary show-cause filed on behalf of the of the Opposite Parties No. 3 and 5.

3. In view of these facts and circumstances, the present MJC - contempt petition stands dropped, reserving liberty to the petitioner to assail the order dated 22.11.2022, if it is warranted.

4. At this stage, we have noticed that the official respondents have taken note of the fact that the petitioner has filed representation to the SIPB and the matter is pending consideration before the SIPB. However, it is to be noted that SIPB is not arrayed as a party to the original petition so as to examine whether SIPB have considered the grievance of the petitioner or not? Therefore, petitioner is at liberty to file CWJC against SIPB in non-consideration of representation, if it is so advised.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

abhishekk/-

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