

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2319 of 2021

In
Civil Writ Jurisdiction Case No.9244 of 2020

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Pappu Kumar @ Pradeep Kumar Gupta @ Pradip Kumar Son of Late Ramchandra Prasad @ Ram Chandra Sah Resident of Village-Laxmipur, P.S.-Raxaul, District-East Champaran at Present Residing at Ahirwa Tola, Ward No.7, P.S.-Raxaul, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. Sri Shirsat Kapil Ashok, Son of Unknown, The District Magistrate, East Champaran.
3. The S.H.O. (Excise), Raxaul Anchal Motihari Police Station, District-East Champaran.
4. The Principal Secretary, Home Police, Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Kumar Pankaj, AC to SC-5

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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)

4 12-09-2023 The present M.J.C.-Contempt Petition is filed for non-compliance of the order dated 17.12.2020 passed in C.W.J.C. No. 9244 of 2020. No doubt, there is delay in implementation of the order of this Court. Petitioner is stated to have appeared before the authorities while submitting application/representation on 16.01.2021. Thereafter, within 90 days, the concerned respondent should have proceeded to pass order. On the other hand, it was passed on 03.09.2021. One of



the reason assigned by the official respondent that at the behest of the petitioner matter was adjourned. Taking note of these facts and circumstances, the present M.J.C.- Contempt Petition stands dropped, in view of the compliance of the order on 03.09.2021.

2. At this stage, learned counsel for the petitioner submitted that seized scrap is stated to have been released in favour of the owner of the premises. On the other hand, owner of the scrap is petitioner- tenant. In this regard, petitioner-tenant is permitted to question the validity of release of scrap in favour of the owner.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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