

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.152 of 2024

In
Civil Writ Jurisdiction Case No.11098 of 2023

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M/S Global AC System Jsr. Pvt. Ltd. having its Registered Office at 502/A, Jawahar Nagar, Road No. 17, Post Office- Mango, Jamshedpur (Jharkhand), PIN-832110 and its site Office- C/o Majesty, 79, A. Block, Dhatkidih, Post Office- Bistupur, Jamshedpur (Jharkhand), PIN- 831001 through its Authorised Signatory Md. Hamiduzzaman, Male, aged about 49 Years, Son of Md. Zafruzzaman, Resident of J 141/1B Ram Nagar Lane, Police Station- Garden Reach, District- Kolkata, (W.B.).

... .. Petitioner/s

Versus

1. Shri Pratyaya Amrit, Additional Chief Secretary, Department of Health, Government of Bihar at Patna.
2. The Joint Secretary to the Government, Department of Health, Vikash Bhawan, Patna-800001.
3. Shri Sanjeev Hans, Additional Chief Secretary, Department of Energy, Government of Energy, Government of Bihar at Patna.
4. Er. Anil Kumar, Executive Engineer Electrical, Electric Works Division No. 1, Opposite Patliputra Building Division, South Baily Road (Near High Court), Patna-800001.
5. Assistant Engineer, Electrical, Electric Works Sub Division, Bankpur, Patna.
6. Junior Engineer Electrical, Electric Works Section, Patna Medical College and Hospital, Patna.
7. Dr. I.S. Thakur, Superintendent, Patna Medical College and Hospital, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey
For the Opposite Party/s : Mr. Advocate General

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

8 13-09-2024 Learned counsel for the petitioner has stated that this Court *vide* order dated 08.09.2023 passed in CWJC No. 11098 of 2023 has directed the authority i.e., Opposite Party No. 4 to dispose of the representation made by the petitioner. Learned counsel has stated that the authority *vide* Letter No. 1979 dated



15.07.2024 (Annexure-O.P.4/G) has passed an order wherein, it is stated that the representation made by the petitioner on 05.08.2022 has been disposed of. Learned counsel has stated that the petitioner has never submitted a representation dated 05.08.2022 and the Opposite Party(s) without verifying the representation given by the petitioner has passed an order in a mechanical manner. Learned counsel has stated that the order dated 15.07.2024 may be set aside and the matter remanded back to the authority for passing orders afresh.

2. It is pertinent to note that in a contempt case, the scope of the contempt petition is very limited. This Court under the contempt jurisdiction, only has to see whether the orders passed by this Court have been complied with or not, or if there is any deliberate or willful violation of the said order. Admittedly, in the present case, this Court had directed the Opposite Party(s) to dispose of the representation made by the petitioner. Whether the petitioner has given a representation dated 05.08.2022 or not are matters which cannot be gone into in a contempt case. If the petitioner is aggrieved by the orders passed and he is so advised, he is free to challenge the said order passed in a separate proceedings but not in a contempt application.



3. Having regard to the above, this Court does not find any deliberate or willful violation of the orders passed in CWJC No. 11098 of 2023 dated 08.09.2023. The present MJC is closed granting liberty to the petitioner to challenge the Letter No. 1979 dated 15.07.2024 (Annexure-O.P.4/G), if he is so advised.

(A. Abhishek Reddy, J)

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