

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.108 of 2019

In
Civil Writ Jurisdiction Case No.16627 of 2011

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1. Pratijnya, Through Its Chairman Brijnandan Pathak (M-45), S/o Vidyanandan Pathak, Resident of Laxman Sahay Lane, Gurudwara Road, Gaya.
 2. Brijnandan Pathak [M-45] S/o Vidyanandan Pathak Resident of Laxman Sayay Lane, Gurudwara Road, Gaya, Chairman, Pratijnya, Head Office-93, Laxman Sahay Lane Gurudwara Road, Gaya (Bihar)-823002

... .. Petitioners

Versus

1. The Union Of India Through Mr. C. K. Mishra, The Secretary, Department Of Environment And Forest, Govt. of India, New Delhi.
2. Mr. C.K. Mishra, The Secretary, Department of Environment and Forest, Govt. of India, New Delhi
3. Mr. Yogendra Tripathi, The Secretary, Department of Tourism, Govt. of India, New Delhi
4. The State of Bihar through Mr. Tripurari Sharan, the Principle Secretary, Department of Environment and Forest, Govt. of Bihar, Patna
5. Mr. Tripurari Sharan, The Principle Secretary, Department of Environment and Forest, Govt. of Bihar, Patna
6. Mr. Ravi Parmar, The Principle Secretary, Department of Tourism, Govt. of Bihar, Patna
7. Mr. Abhishek Singh, The District Magistrate, Gaya
8. The Bihar State Pollution Board Board through its Secretary, Mr. Ashok Kumar Ghosh, Beltron Bhawan, Shastri Nagar, Patna
9. Mr. Ashok Kumar Ghosh, The Secretary, Bihar State Pollution Board, Beltron Bhawan, Shastri Nagar, Patna
10. The Gaya Municipality through its Municipal Commissioner, Mr. Ishwar Chandra Sharma, Gaya
11. Mr. Ishwar Chandra Sharma, The Municipal Commissioner, Gaya

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Brajesh Kumar, Advocate
For corporation Gaya	:	Mr. Rabindra Priyadarshi, Advocate
For the Opposite Party/s	:	Mr. Sarvesh Kumar Singh, AAG-13
		Mr. Rajat Kumar Tiwary, AC to AAG-13

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY



ORAL JUDGMENT

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

Date : 14-08-2024

The present M.J.C./Contempt petition is filed in the month of January, 2019 insofar as non-compliance of the order dated 18.03.2015 passed in C.W.J.C. No. 16627 of 2011.

2. Learned counsel for the petitioners submitted that C.W.J.C. No. 16627 of 2011 has attained finality on 16.07.2020, on the other hand, it is not true as is evident from Order No. 21 it is only delinking C.W.J.C. No. 19592 of 2018 titled as Gaurav Kumar Singh Versus the Chief Secretary, Government of Bihar. Further, C.W.J.C. No. 16627 of 2011 was to be listed on 21st of July, 2020. The petitioner is not in a position to appraise this Court as to what is the order dated 21.07.2020.

3. Be that as it may, MJC/Contempt petition has been filed beyond one year. Therefore, Section 20 of the Contempt of Courts Act read with Article 215 of the Constitution would be a hurdle in entertaining Contempt petition beyond one year in the light of Co-ordinate Bench decision in the case of *Dr. Rajesh Kumar Sinha & Ors. Vs. The Union of India & Ors.* bearing *M.J.C. No. 1840 of 2023* in *C.W.J.C. No. 13888 of 2016* read with *S. Tirupathi Rao Vs. M.*



Lingamaiah & Ors. reported in ***2024 SCC OnLine SC 1764.***

4. Accordingly, the present M.J.C/Contempt
petition stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.08.2024
Transmission Date	NA

