

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.376 of 2023

In
Civil Writ Jurisdiction Case No.4282 of 1990

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1. Krishna Vallabh Sharma Son of Late Haridwar Sharma, R/o Village- Konch, P.S.- Konch, District- Gaya, (Bihar).
 2. Arun Kumar Sharma, son of Late Haridwar Singh, R/o Village- Konch, P.S.- Konch, District- Gaya, (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department, Government of Bihar, Patna.
2. Thiyagarajan S.M., Son of not known to the petitioner, Collector, District- Gaya.
3. Sdim Akhtar, Son of not known to the petitioner, The Land Reforms Deputy Secretary, District- Gaya.
4. Manoj Kumar, Son of not known to the petitioner, The Additional Collector, District- Gaya.
5. Nirmal Kumar, Son of not known to the petitioner, The Circle Officer Paraiya, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritika Rani, Adv.
For the Opposite Party/s : Mr.Md. Khurshid Alam , AAG 12

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

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

5 30-07-2024 The present MJC is filed for non-compliance of the
order dated 05.03.1997 passed in CWJC No. 4282 of 1990.

2. Section 20 of the Contempt of Courts Act, 1971
would be a hurdle in entertaining the present petition. Co-
ordinate Bench 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 examined section 20 of the Contempt of Courts Act read with Article 215 of the Constitution, in which it is held that beyond one year from the date of the cause of action contempt petition is not maintainable. Recently, Hon’ble Supreme Court in the case of ***S. Tirupathi rai Vs. M. Lingamaiah & Ors.*** reported in **2024 SCC Online SC 1764** in which also it is held that belated contempt petition shall not be entertained by the Courts.

3. Taking note of these facts and circumstances, the present contempt petition stands disposed of as not maintainable on the score that it is in violation of section 20 of the Contempt of Courts Act, 1971, reserving liberty to the petitioners to invoke appropriate remedy, if it is available.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

mcv/-

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