

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.565 of 2023

In

Civil Writ Jurisdiction Case No.14078 of 2021

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Kalpana Sinha, W/o Late Rakesh Kumar Sinha, and D/o Late Birendra Kumar Sinha, R/o Kalyani Niwas, Ward Number-28, Maulaganj, Lal Bagh, Leheriyasara, Darbhanga, Bihar 846004, presently residing at C/o Prem Kant Jha, Laxmisagar, Darbhanga- 846004

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Sri Amir Subhani.
2. Sri Pratyay Amrit, the Principal Secretary, Health and Family Welfare Department, Government of Bihar, Patna.
3. Sri Anshul Agarwal, the Joint Secretary, Health and Family Welfare Department, Government of Bihar, Patna.
4. Dr. Anil Kumar Sinha, the Civil Surgeon cum Chief Medical Officer, Patna.
5. Sri S.K. Arya, the Treasury Officer, Darbhanga.
6. Sri Pushkar Kumar, The Accountant General A and E, Bihar, Birchand Patel Path, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Roona, Advocate

For the Opposite Party/s : Mr. Ramadhar Singh, GP- 25

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

5 23-08-2024 Heard the parties.

2. The petitioner by filing the present application seeking initiation of a contempt proceeding against the opposite parties for their willful and deliberate disobedience of order dated 28.11.2022, passed in C.W.J.C. No. 14078 of 2021, whereby the respondent/opposite party no.4 was directed to



consider the representation of the petitioner, after calling for the record from the Civil Surgeon-cum-Chief Medical Officer, Darbhanga and disposed of the same within a period of eight weeks from the date of receipt/production of a copy of this order and to pass consequential order within the aforesaid period.

3. A show-cause affidavit has been filed on behalf of opposite party nos. 2 to 4.

4. Pursuant to the direction of this Court, though belatedly, but the claim of the petitioner has been considered and turned down vide order, as contained in memo No. 1104(2) dated 08.08.2024, the copy of which is marked as Annexure Opp-2/B.

5. Learned Advocate for the petitioner contended that had the claim of the petitioner been considered within the time prescribed by this Court, the respondents/opposite parties could not have been allowed to take the shelter of Government Resolution issued by the Finance Department, as contained in Annexure-Opp.-2/A dated 19.12.2023, while negating the claim of the petitioner.

6. Be that as it may, since the claim of the petitioner has been rejected, the petitioner has only remedy to assail the same by filing an appropriate application.



7. The contempt petition stands disposed of with the liberty aforesaid.

(Harish Kumar, J)

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