

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.629 of 2023

In
Civil Writ Jurisdiction Case No.11469 of 2022

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Puneet Pushkar Son of Late Gautam Resident of Wards No.12, Nagar
Panchayat Maharajganj, Village-Pasnauli, P.S. Maharajganj, District Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shri Amir Subhani, Chief Secretary, General Administration, Government of Bihar, Patna.
3. Shri Anand Kishor, Principal Secretary, Urban Development and Housing Department, Bihar, Patna.
4. Dr. Deepak Prasad, State Election Commission, Bihar, Patna.
5. Mukesh Kumar Sinha, Secretary, State Election Commission, Bihar, Patna.
6. Shri Amit Kumar Pandey, District Magistrate, Siwan.
7. Smt. Sharda Devi, Chairman, Nagar Panchayat Maharajganj, Siwan.
8. Shri Harishchandra, Chief Executive Officer, Nagar Panchayat Maharajganj, Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.Yogendra Prasad Sinha (Aag 7)

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

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

6 22-02-2024 The present MJC is filed for non-compliance of the

order dated 12.08.2022 passed in C.W.J.C. No. 11469 of 2022.

There are two fold directions, namely, petitioner was required to

submit representation within four weeks from 12.08.2022

thereafter the concerned authority was to consider and dispose

of petitioner's representation within four months from the date



of filing of such representation. Four months have elapsed on 08.01.2023 whereas respondents have not complied even after one year. They have complied orders only on 19.02.2024 that too after our order dated 08.02.2024. It is necessary to reproduce our order dated 08.02.2024 and it reads as under:

None appears for the State-respondents.

2. Therefore the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna is hereby directed to appear in person and furnish explanation as to why the orders of this Court has not been complied or in the alternative he has to make arrangement through the departmental counsel. Such explanation be furnished. If explanation is not satisfied by this Court, we are compelled to initiate Contempt of Court proceedings under Rule 7 (i) read with Form 1 of Chapter XXVII of Rules of the High Court at Patna framed under the Contempt of Courts Act, 1971 (Act 70 of 1971) in framing charges by fixing the date.

2. Re-list this matter on 22.02.2024

2. Taking note of these facts and circumstances, the concerned official respondents have committed contempt. We could have initiated contempt of court proceedings while framing charges. However, having regard to the belated compliance, we proceed to award litigation cost and it is quantified at Rs. 10,000. Cost shall be paid to the petitioner



within a period of eight weeks from the date of receipt of this order.

3. Accordingly, the present MJC stands dropped.

4. The petitioner is at liberty to question the validity of the order dated 19.02.2024 in accordance with law.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

vashudha/-

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