

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.643 of 2023

In

Civil Writ Jurisdiction Case No.1102 of 2020

=====

Pankaj Kumar, Son of Basist Narayan Chaudhary @ Late Vashishth Narayan Chaudhary @ Bashisth Narayan Chaudhary, Resident of Laxmi Nagar, Fardogola, Pakahi, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner.

Versus

1. Sri Aamir Subhani, The Chief Secretary, Government of Bihar, Patna.
2. Sri Pratya Amrit, Principal Secretary, Department of Health, Government of Bihar, Patna.
3. Sri Chaitanya Prasad, Additional Chief Secretary, Vigilance Department, Government of Bihar, Patna.
4. Sri Sanjay Kumar Singh, Executive Director, State Health Society, Parivar Kalyan Bhawan, Sheikhpura, Health Department, Government of Bihar, Patna.
5. Sri Dinesh Kumar, Managing Director, Bihar Medical Service Infrastructure Corporation Limited, Hospital Road Shastri Nagar, Patna, Bihar.
6. Sri Raj kishore Dubey, son of not known, The Regional Manager, Sales Kopran Laboratories Ltd, 60, B, 4th Floor, Chowringhee Road, P.S.- Maiddan, Kolkata, W. Bengal.
7. Sri Uma Shankar Prasad Son of not known, Mahalaxmi Traders, Pharmaceutical Distributors and Hospital Suppliers, Shradhanand Road, Near Congress Office, P.S.- Kotwali, Ranchi, Jharkhand.

... .. Opposite Parties.

=====

Appearance :

For the Petitioner	:	Mr. Prabhakar Singh, Advocate.
For the State	:	Mr. S.D. Yadav (AAG- 9).
		Mr. Anil Kumar Verma, AC to AAG-9.
For the BMSICL	:	Mr. Lalit Kishore, Senior Advocate.
(O.P. No.5)		Mr. Vikash Kumar, Advocate.
		Mr. Ayush Kumar, Advocate.
		Mr. Kanishka Shankar, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

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

Date : 19-07-2024

Learned counsel for the respective parties on



instructions submitted that the orders of this Court has been complied on 11.07.2024.

2. The grievance of the petitioner was against the 5th respondent, in that event, the State should have taken a decision timely on the petitioner's representation read with the orders of this Court dated 18.01.2020 passed in C.W.J.C. No.1102 of 2020. It is not an isolated case where the State is complying belatedly. Every day, we have come across more than two cases where invariably there is delay in compliance of the orders of this Court by years together. In all such of those matters, State officials have remedy of filing Civil Review in writ petition or before lapse of time limit stipulated, they have remedy of filing Interlocutory Application to seek extension of time to comply the orders of this Court. Neither of the remedy has been resorted. On the other hand, State-respondents have slept over the matter for more than 4½ years in complying the orders of this Court read with the petitioner's representation dated 12.02.2020.

3. Having regard to the compliance of the orders of this Court on 11.07.2024, instead of initiating Contempt of Courts proceedings, we propose to punish the official respondents (State) with a cost of Rs.10,000/-(Rupees Ten



Thousand). Cost shall be paid to the petitioner within a period of eight weeks from the date of receipt of this order, reserving liberty to the petitioner to file a fresh litigation, if the petitioner is not satisfied with the compliance order dated 11.07.2024.

4. With the above observation(s), the present M.J.C./ Contempt Petition stands dropped.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.07.2024.
Transmission Date	NA

