

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1311 of 2023

In

Civil Writ Jurisdiction Case No.10459 of 2020

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Pankaj Kumar S/o Arun Prasad, Resident of Village- Kathanpura, P.S.-
Noorsarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, namely Sri Amir Subhani, Government of Bihar, Old Secretariat, Patna.
2. Mr. Sanjeev Hans, The Principal Secretary, Public Health and Engineering Department, Govt. of Bihar, Patna.
3. Mr. Mihir Kumar Singh, The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
4. Mr. Ashok Kumar, The Engineer-in- Chief cum Special Secretary, Public Health and Engineering Department, Govt. of Bihar, Patna.
5. Mr. Shashank Shubankar, The District Magistrate, Nalanda at Nalanda.
6. Mr. Ajeet Kumar, The Executive Engineer, Public Health Division, Biharsharif, Dist.- Nalanda.
7. Mr. Rakesh Ranjan, The Assistant Engineer, Public Health Division, Biharsharif, Dist.- Nalanda.
8. Kumari Rupam Sharma, the Circle Officer, Noorsarai, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Adv.
For the Opposite Party/s : Mr.S. Raza Ahmad, AAG 5

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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)

3 21-08-2024 The present contempt petition is not maintainable in



view of the fact that petitioner was required to file contempt petition within one year from the date of cause of action accrued to the petitioner. This Court directed the petitioner to submit representation within four weeks from 21.06.2021. He had submitted representation on 17.07.2021. The concerned respondents were required to comply the orders of this Court within a period of four months from the date of receipt of the petitioner's representation and it has lapsed on 16.10.2021. On the other hand, petitioner has preferred the present contempt petition only on 01.05.2023. Accordingly, the present contempt petition is not maintainable as it is not within the time limit stipulated under section 20 of the Contempt of Courts Act, 1971. 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, 1971 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*** examined the belated filing of contempt petition and declined to entertain.



3. Accordingly, the present M.J.C. stands dismissed
reserving liberty to the petitioner to file fresh writ petition in
accordance with law.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

mcv/-

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