

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1036 of 2017

In
Civil Writ Jurisdiction Case No.12224 of 2016

=====

Shri 108 Bhagwan Shree Radha Krishan Jee Maharaj Mandir Asthali Bimukti Sangharsh Samiti through its president Suresh Mishra son of Late Roop Narayan Mishra, resident of village - Ramouli, P.S. Bahera, District - Darbhanga.

... .. Petitioner.

Versus

1. The State of Bihar through Shri Anjani Kumar Singh, the Chief Secretary, Government of Bihar old Secretariat, Patna.
2. Sri Dr. Chandrashekhar Kumar, the District Magistrate, Darbhanga.
3. Sri Amit Kumar, the Sub- Divisional Officer, Benipur, Darbhanga.
4. Mrs. Alpana Kumari, the Circle Officer, Benipur, Darbhanga.

... .. Opposite Parties.

=====

Appearance :

For the Petitioner	:	Mr. Kaushal Kumar Jha, Advocate.
For the State	:	Mr. S.K. Sharma, AC to AAG-3.

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

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

Date : 26-06-2024

The present M.J.C./Contempt Petition is filed for non-compliance of the orders of this Court dated 20.09.2016 passed in C.W.J.C. No.12224 of 2016. It is necessary to reproduce the aforesaid order and it reads as under:

“Heard Mr. Kaushal Kumar Jha, learned Counsel for the petitioner, and Mr. P.K. Verma, learned Additional Advocate General No.5, appearing for the State respondents.

Having perused the pleadings in the writ petition, which have been filed in the nature of Public Interest Litigation, under Article 226 of the Constitution of India, and upon hearing learned



counsel for the parties concerned, we dispose of this application with a direction to the respondent No.2, namely, District Magistrate, Darbhanga, to make an enquiry into the grievances raised by the petitioner and do the needful in accordance with law. The whole, exercise, so directed, shall be completed within a period of three months from the date of receipt of a certified copy of this order by the respondent No.2, namely, District Magistrate, Darbhanga.

The petitioner may furnish to respondent No.2, namely, District Magistrate, Darbhanga, a certified copy of this order along with a copy of this writ petition and annexures thereto.

In terms of the observations and directions, this application shall stand disposed of.

Let a copy of this order be sent by FAX to the District Magistrate, Darbhanga.”

2. Respondents should have complied the orders of this Court within three months. In other words, at least, they should have complied the orders in the first week of January, 2017. On the other hand, there is no application seeking for extension of time or reviewing the order dated 20.09.2016 and they have slept over the orders of this Court. They have no regard to orders of this Court. Resultantly, the present M.J.C./Contempt Petition was filed in the year 2017 and it is pending consideration for the last about 7 years.

3. Grievance of the petitioner is stated to have been complied on 27.01.2023 and even the same has not been placed



on record in the month of February, 2023. Still they have slept over the matter for more than one year and few months in apprising this Court to the extent that they have complied the orders of this Court.

4. Taking note of delay of about 6 years in complying the orders of this Court, it is a clear case of Contempt of Court. Be that as it may, having regard to the fact that they have complied the orders of this Court belatedly after about 6 years, we propose to drop the present M.J.C./Contempt proceedings subject to payment of cost of Rs.10,000/-. Cost shall be paid to the petitioner within a period of eight weeks from the date of receipt of this order.

5. Accordingly, the present M.J.C./Contempt Petition stands dropped.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

P.S./-Durgesh

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.06.2024.
Transmission Date	NA

