

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1690 of 2024

In
Civil Writ Jurisdiction Case No.10205 of 2020

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Bhushan Sharma Son of Shiv Sharan Singh, Resident of Village - Neori, P.O.-
Neora, Police Station - Bihta, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Shivsath Kapil Ashok, the District Magistrate, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Priyedarshi, Adv.
For the Opposite Party/s : Mr.Additional Advocate General 12

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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 30-07-2024 The present MJC is filed for non-compliance of the
order dated 21.06.2021 passed in CWJC No. 10205 of 2020.

2. Section 20 of the Contempt of Courts Act, 1971
would be a hurdle in entertaining the present petition. 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 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* in which also it is held that belated contempt petition shall not be entertained by the Courts.

3. Taking note of these facts and circumstances, the present contempt petition stands disposed of as not maintainable on the score that it is in violation of section 20 of the Contempt of Courts Act, 1971, reserving liberty to the petitioner to invoke appropriate remedy, if it is available.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

mcv/-

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