

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4034 of 2018

In
Miscellaneous Appeal No.45 of 2012

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Smt. Ragini Jha@Smt. Ragini wife of Sri Rakesh Roshan Jha, Daughter of
Deo Nath Jha C/o- Veena Bhawan House No. 4, Road No. 4, North Patel
Nagar, Post Office- Keshri Nagar, Police Station- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. Sri Sameer @ Sameer Bhaskar Son of Bhola Nath Bhattacharya resident of
Mohalla- Lalbag, Police Station- Darbhanga Town, District- Darbhanga.
2. Dr. Subha Jha wife of Natha Bhatta Charya resident of Mohalla- Lalbag,
Police Station- Darbhanga Town, District- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Dhar Jha
For the Opposite Party/s : Mr.Manish Jha

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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)

5 24-07-2024 The present contempt petition is not maintainable in

view of the fact that contempt petition was filed beyond one

year. The cause of action accrued to the petitioner on 03.05.2016

pursuant to the order dated 04.05.2015 passed in M.A. No. 45 of

2012, whereas the present contempt petition is filed in the

month of October, 2018. Therefore, limitation would be a hurdle

to entertain the present contempt petition. Accordingly, the

present contempt petition stands disposed of as not maintainable

in the light of co-ordinate Bench decision rendered 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, recently Hon’ble Supreme Court on 22.07.2024 in the case of *S. Tirupathi Rao Vs. M. Lingamaiah & Ors.* reported in *2024 SCC OnLine SC 1764*. It is observed that time-barred civil contempt petitions cannot be entertained mechanically accepting bogey of ‘continuing wrong’, this decision would be hurdle to entertain the present belated contempt petition, reserving liberty to the petitioner to invoke writ jurisdiction in accordance with law.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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