

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.4077 of 2018**

**In**  
**Civil Writ Jurisdiction Case No.13062 of 2002**

- 
- 
1. Sheikh Naushad Ali @ Naushad Ali Son of late Md. Sultan, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
  2. Sheikh Jehangir @ Md. Jehangir, Son of late Md. Sultan, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
  3. Md. Alamgir, Son of Md. Sultan, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar.
2. Pradeep Kumar Jha, The Collector, Purnea.
3. Ravindra Nath, The Additional Collector (Ceiling), Purnea.
4. Ravindra Prasad, the Sub-Divisional Officer, Sadar, Purnea.
5. Md. Azad Ali, Son of Haji Md. Muslim, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
6. Sanjhla Manjhi Tuddu, Son of Kalu Tuddu, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
7. Sanjhli Devi, Widow of late Kalu Tudu, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
8. Chandan Sorren, Son of Sona Soren, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
9. Rani Devi, Wife of Sonelal Tuddu, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
10. Mangal Kisku, Son of Lal Kisku, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
11. Baijan Tuddu, Son of Chhotka Tuddu, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
12. Dhena Devi@ Maina Devi, Wife of Babu Lal Tuddu, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
13. Manju Tudu, Son of Chhotka Tudu, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
14. Paltan Murmu, Son of late Bishnu Murmu, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.
15. Maso Talaway Widow of late Tala Tuddu, Resident of Village- Uchitpur, Post Office- Rautara, Police Station and District- Purnea.

... .. Opposite Party/s

---

---

**Appearance :**

For the Petitioner/s : Mr.Najmul Hoda  
For the Opposite Party/s : Mr.Khurshid Alam Aag 12

---

---



**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      12-09-2024                      Heard the parties.

2. The present petition has been preferred for grant of following relief:-

*That, this application is for punishing the opposite party-1st. Party for contempt of this Hon'ble Court for violation of the order dated 2.8.2010 (contained in Annexure-1) passed by the Hon'ble Justice Smt. Sheema Ali Khan in CWJC No.13062/2002 in the circumstance set forth below.*

3. The writ Court on 02.08.2010 disposed of the same in CWJC No.13062 of 2002 (Md. Azad Ali vs. State of Bihar and Ors.) with a direction to the Principal Secretary to consider the report of the Collector Purnea and pass appropriate order within a period of three months.

4. The Case of the petitioner in the contempt is that the Principal Secretary, Land Reforms, Bihar, Patna failed to pass any order.

5. Learned State counsel has pointed out that the order was passed on 02.08.2010 while the present contempt petition has been filed on 05.10.2018 and thus it is in the teeth of the Section 20 of the Contempt of Courts Act, 1971 (hence for short



‘the Act’).

6. The section 20 of ‘the Act’ read as follows:-

*“No court shall initiate any proceedings of contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed.”*

7. The Court finds force in the contention of the learned State counsel, on 12.08.2010 the Writ Court passed an order directing the Principal Secretary to pass an order in three months, the three months period come to an end on 01.11.2010 and thereafter, the petitioner was supposed to file contempt petition by 31.10.2024. It came to be filed eight years later on 05.10.2018.

8. It is definitely in the teeth of the section 20 of ‘the Act’ and it has been repeatedly sounded by the Hon’ble Apex Court as also the Division Bench of Patna High Court that such petition in which there is an inordinate delay in filing contempt, section 20 of ‘the Act’ prohibits entertaining such petition.

9. In that background, MJC No.4077 of 2018 is dismissed.

**(Rajiv Roy, J)**

vinayak/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

