

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1815 of 2021

In
Civil Writ Jurisdiction Case No.15581 of 2018

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Bishwnath Prasad Singh @ Vishwanath Singh, S/o Late Pashupati Nath Singh, resident of Village - More (East) P.S.- Mokama, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. Shri Surendra Kumar Jha, S/o not Known, The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. Shri Chandra Shekhar Singh, S/o not known, The Collector, Patna.
4. Shri Sumit Kumar, S/o not known, Sub-Divisional Officer, Barh, Patna.
5. Shri Anil Kumar Arya S/o not known, The Deputy Collector Land Reforms, Barh, Patna.
6. Shri Gyananand S/o not known, Circle Officer, Mokama, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Prasad Singh No.2, Advocate

For the Opposite Party/s : Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

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

6 16-01-2024 The present MJC-Contempt petition is filed for non-compliance of order dated 06.01.2020 passed in C.W.J.C. No. 15581 of 2018. There were direction to the petitioner to submit representation within a period of four weeks from 06.01.2020. Representation was submitted on 21.01.2020 followed by reminder in the month of December, 2020 and 2021, Whereas the present contempt petition is filed on 20th September, 2021



and it is not within one year with reference to date of compliance. In other words, petitioner's representation is dated 21.01.2020 and it was to be considered by the concerned authority on or before 20th April, 2020 with reference to the directions that the concerned authority was required to consider the petitioner's representation within three months. If 20th April, 2020 is the cut-off date for compliance from that date one year would be 19.04.2021, whereas the present MJC is filed on 20th September, 2021. Thus, it is beyond one year and it is contrary to Section 20 of the Contempt of Courts Act, 1971.

2. Co-ordinate Bench of this Court proceeded to pass a detailed order in respect of belated filing of contempt petition while referring to various statutory provision viz., MJC No. 1840 of 2023 (*Dr. Rajesh Kumar Sinha & Ors. vs. The Union of India & Ors.*) decided on 24.07.2023. The same principle is applicable to the case in hand. Accordingly, the present MJC-Contempt petition stands dropped reserving liberty to the petitioner to file writ petition.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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