

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2210 of 2024

In
Letters Patent Appeal No.923 of 2014

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Devendra Prasad Singh, Son of Rajendra Prasad Singh, Resident of Village-
Ramchandrapur, P.O.- Bhadaria, P.S.- Amarpur, District- Banka at Present
Working as Assistant Teacher, Project Girl High School, Chadnan Banka.

... .. Petitioner.

Versus

1. The State of Bihar.
2. Sri S. Siddhartha, The Principal Secretary, Human Resources Development
Department, Govt. of Bihar, Patna.
3. Sri Kamal Kumar Sinha, The Director Secondary Education Bihar, Patna.
4. Sri Krishna Kumar Sharma, The Deputy Director, Secondary Education,
Bihar, Patna.
5. Sri Abhay Kumar Singh, Regional Deputy Director (Education), Bhagalpur,
District- Bhagalpur.
6. Sri Kundan Kumar, The District Education Officer, Banka, District- Banka.
7. Sri Anup Kumar Sinha, the Chairman of Three Men Committee, Human
Resources Development Department, New Secretariat, Patna posted as
Secretary.

... .. Opposite Parties.

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate.
For the State : Mr. Kunal Tiwary, AC to GA-2.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 18-12-2024

The present M.J.C./Contempt Petition is arising out of
order dated 23.12.2016 passed in L.P.A. No.923 of 2014.

2. Filing of the present M.J.C./Contempt Petition for
implementation of the order dated 23.12.2016 passed in L.P.A.
No.923 of 2014 would be contrary to Section 20 of the



Contempt of Courts Act, 1971. Coordinate Bench of this Court in the case of **Dr. Rajesh Kumar Sinha and others Vs. The Union of India and others (M.J.C. No.1840 of 2023)** has elaborately considered Section 20 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution. The Hon’ble Supreme Court on the very same issue in the case of **S. Tirupathi Rao Versus M. Lingamaiah and Others decided on 22nd of July, 2024 {2024 SCC OnLine SC 1764}** insofar as filing of belated Contempt of Courts Petition is not permissible.

3. In the light of above judicial pronouncements read with Section 20 of the Contempt of Courts Act, 1971, the present M.J.C./Contempt Petition is barred by limitation.

4. Accordingly, the present M.J.C./Contempt Petition stands disposed of reserving liberty to the petitioner to invoke other remedies which are available to the petitioner.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.12.2024.
Transmission Date	NA

