

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.2229 of 2024**

**In**  
**Civil Writ Jurisdiction Case No.1463 of 2022**

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Sajid Hussain Khan Son of Tahir Hussain Khan, Resident of Samanpura,  
Razabazar, P.S.- Shastrinagar, District- Patna- 800014.

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Kumar Raiv, The Commissioner, Patna Division, Patna.
3. Shirshat Kapil Ashok, The Collector, Patna.
4. Shreekant Kundalik Khandekar, The Sub- Divisional Officer, Patna.
5. Amar Kumar, The Officer-in-Charge, Sastrinagar, Police Station- Patna.
6. Rajni Kant, The Circle Officer, Patna Sadar, Patna.

... .. Opposite Party/s

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**Appearance :**

|                            |   |                               |
|----------------------------|---|-------------------------------|
| For the Petitioner/s       | : | Mr. S.N. Pathak, Advocate     |
|                            |   | Mr. Ashish, Advocate          |
| For the Opposite Party/s : |   | Additional Advocate General 7 |

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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)**

4      09-09-2024

On 02.09.2024, following order was passed:

*“The present contempt petition is filed for non-compliance of the order dated 04.02.2022 passed in CWJC No. 1463 of 2022. Limited direction was asking the petitioner to submit a representation. On receipt of representation, the concerned authority was directed to decide the petitioner's representation within a period of four months from the date of receipt of representation.*

*2. Petitioner submitted representation on 07.06.2022. The concerned respondent was required to comply the orders of this Court*



*read with the petitioner's representation dated 08.02.2022 within a period of four months and cause of action would be with effect from 07.06.2022. The petitioner should have presented the contempt petition within one year from the date of cause of action accrued that is on or before 07.06.2023 whereas the present contempt petition was filed on 08.07.2024. Therefore, there is delay in filing the present contempt petition. The Coordinate Bench of this Court in the case of Dr. Rajesh Kumar Sinha and Ors. vs. The Union of India and Ors. (MJC No. 1840 of 2023 decided on 24.07.2023) examined Section 20 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution. Recently Hon'ble Supreme Court in the case of Tirupathi Rao vs. M. Lingamaiah & Ors. reported in 2024 SCC OnLine SC 1764 examined the filing of belated con- AT tempt petition. Taking note of the aforementioned judicial pro nouncements, the petitioner has not made out a case so as to entertain the present contempt petition.*

*3. Learned counsel for the petitioner intends to peruse the aforementioned decision and make his submission on the next date of hearing.*

*4. Re-list this matter on 09.09.2024.*

*5. It is made clear that no further time would be granted on the next date of hearing.”*

2. Today, learned counsel for the petitioner could not apprise or improve the subject matter of litigation insofar as entertaining belated contempt petition is concerned. Accordingly, present M.J.C. No. 2229 of 2024 stands disposed of as not maintainable.



3. Disposal of the present contempt petition would not be a hurdle for the petitioner to file fresh writ petition, in accordance with law.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

GAURAV S./-

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