

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2109 of 2023

In
Civil Writ Jurisdiction Case No.16494 of 2021

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1. Rajesh Kumar Son of Late Bhola Nath Sah, resident of House No. B/142, Road No. 2, Gandhi Nagar Society, Near Patliputra Railway Station, Phulwari, Patna (Bihar)- 800025.
 2. Indu Shekhar Singh, Son of Late Ram Pukar Singh, resident of 144B, Gandhi Nagar, New Patliputra Railway Station, Ram Nagari Section - 4, Phulwari, Patna (Bihar) 800025.
 3. Atma Singh, S/o Lalan Singh, resident of Garbhu Chak, P.S. - Hawaii Adda, B.V. College, Patna (Bihar) 800014 and also resident of Gandhi Nagar Colony, Ward No. 2, Gali No. 2, P.O. - Ashiyana Nagar, Anchal - Patliputra, P.S. Rajiv Nagar, Near Patliputra Railway Station, District - Patna (Bihar) - 800025.
 4. Ram Subhag Singh, S/o Late Ram Anup Singh, resident of Village - Bhatheri, Beapur, Patna (Bihar) 801503 and also resident of Gandhi Nagar Colony, Ward No. 2, Gali No. 2, P.O. - Ashiyana Nagar, Anchal - Patliputra, P.S. - Rajiv Nagar, Near Patliputra Junction, District - Patna, Bihar - 800025.
 5. Dinesh Kumar, S/o Late Jagdish Pandit, resident of C- 63, A.G. Colony, A.G. Colony Park, Ashiana Nagar Patna (Bihar) 800025 and also resident of Gandhi Nagar Colony, Ward No. 2, Gali No. 2, P.O. - Ashiana Nagar, Anchal - Patliputra, P.S. Rajiv Nagar, Near Patliputra Junction, District - Patna (Bihar) - 800025.
 6. Shri Venkatesh @ Venkatesh, S/o Arun Kumar, resident of House No. 12, Block No. 2, Spring Field Colony Sector - 311, Amarnagar Faridabad Haryana - 121003 and also resident of Gandhi Nagar Colony, Ward No. 2, Gali No. 2, P.O. - Ashiana Nagar, Anchal - Patliputra, P.S. - Rajiv Nagar, Near Patliputra Junction, District - Patna (Bihar) 800025.
 7. Rajesh Kumar Tiwari, Son of Late Madan Tiwari, resident of 23, Shivaji Path, Rajputana, Phulwari, Patna (Bihar) 800025.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, namely Sri Arunish Chawla Nagar Vikash Department, Government of Bihar, Patna.
2. Sri Chandra Shekar Singh, the District Magistrate, Patna.
3. Sri Animesh Kumar Parashar, the Commissioner, Patna Municipal Corporation, Patna.
4. Khandekar Srikatn Kaundalik The Sub-Divisional Officer, Patna.
5. Pratibha Sinha The Executive Officer, Patna.
6. Mr. Anil Kumar Dubey S/o Shri Surendra Prasad Dubey, resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station, Patna (Bihar) - 800025.
7. Mr.Ashok Singh @ Ashok Kumar Singh, S/o Late Ramanjore Singh,



resident of - Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station, Patna (Bihar) 800025.

8. Mr. Om Prakash Singh, S/o Late Rajendra Prasad Singh, resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station, Patna (Bihar) 800025.
9. Mr. Ravi Sharan Srivastava, S/o Late Barmeshwar Prasad, resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station, Patna (Bihar) - 800025.
10. Mr. Ram Kumar, S/o Late Dwadas Prasad Singh, resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station, Patna (Bihar) - 800025.
11. Mr. Babloo Kumar @ Sunil Kumar, S/o Shri Ram Dayal Prasad, resident of Road No. 4, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station, Patna (Bihar) - 800025.
12. Mr. Dilip Singh, Son of Late Kripyanand Prasad Singh, resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station, Patna (Bihar) - 800025.
13. Mr. Amit Singh @ Amit Kumar, S/o Shri Ram Vinod Singh, resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station, Patna (Bihar)- 800025.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish, Advocate
For the Opposite Party/s : Mr.Yogendra Prasad Sinha (AAG 7)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

3 01-07-2024 The present M.J.C. is filed for non compliance of order dated 25.10.2021, whereas the present M.J.C. is filed in the month of July, 2023. Thus, the present M.J.C. is filed after one year and it is barred by limitation under Section 20 of the Contempt of Courts Act, 1971 read with co-ordinate Bench decision 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.

2. Learned counsel for the petitioner submitted that identical writ petition was filed by *Rajesh Kumar and others* and it was disposed of by the Co-ordinate Bench on 18.07.2023 in C.W.J.C. No. 9894 of 2023 to the extent that for a common relief, there cannot be two writ petitions. The aforementioned decision does not enure to the benefit of petitioner in so far as ignoring the limitation period in the light of Section 20 of the Contempt of Court Act read with Co-ordinate Bench decision.

3. Accordingly, the present M.J.C. No. 2109 of 2023 stands dropped, reserving liberty to the petitioner to file writ petition seeking for implementation of this Court order dated 25.10.2021 passed in C.W.J.C. No. 16494 of 2021.

4. With the above observation, the present M.J.C. No. 2109 of 2023 / Contempt Petition stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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