

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2168 of 2021

In
Civil Writ Jurisdiction Case No.13942 of 2019

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Surendra Kumar Bhadani son of Vishnu Prasad Bhadani resident of Mohalla-
Katari Hill Road, P.S. Civil Lines, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sri Mayank Barbarhe, the Divisional Commissioner, Magadh Division,
Commissioner Office, District- Gaya.
3. Sri Abhishek Singh, the District Magistrate, Collectorate Building Gaya,
District- Gaya.
4. Sri Ganesh Paswan, Mayer, Gaya Nagar Nigam, District- Gaya.
5. Sri Sawan Kumar, the Commissioner Gaya, Municipal Corporation, District-
Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra, Advocate
For the Opposite Party/s : Mr.Yogendra Prasad Sinha, AAG-7

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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 1. The present MJC is filed for non-compliance of the
order dated 08.12.2020 passed in CWJC No.13942 of 2019.
2. The directions are in two folds namely, petitioner
was required to submit a representation and it was submitted on
29.12.2020. Thereafter, the concerned authority was required to



consider the petitioner's representation within three months. If a date of representation 29.12.2020 is taken into consideration and in that event on or before 28.03.2021 the concerned authority was required to comply the order. If there are any administrative difficulties in complying the orders of this Court in that event the concerned authority was required to submit an interlocutory application seeking extension of time before lapse of stipulated time.

3. Perusal of the record there is no application for extension of time, therefore the respondents have committed contempt of court. During pendency of the present petition, orders have been complied on 05.01.2024 even perusal of the order dated 05.01.2024 the petitioner has not been heard in the matter and it was complied in part according to learned counsel for the petitioner.

4. Be that as it may, the petitioner is at liberty to question the validity of the compliance order dated 05.01.2024 in accordance with law.

5. Having regard to the delay in compliance of the order, the concerned respondent has committed contempt of court, instead of initiating contempt of court proceedings, we are of the view that litigation cost be paid to the petitioner and it



is quantified at Rs.10,000/-. Cost shall be paid to the petitioner within a period of eight weeks from the date of receipt of this order.

6. Accordingly MJC stands dropped.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

Prakash Narayan

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