

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2114 of 2022

In
Civil Writ Jurisdiction Case No.21075 of 2018

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Md. Minhaj Dhakwi son of Ataullah @ Ataullah Dhakwi, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Mr. Brajesh Malhotra, son of not known to petitioner, the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. Mr. Brajesh Malhotra son of not known to petitioner, the Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
4. Mr. Srikant Kapil Ashok son of not known to petitioner, the District Magistrate-cum-Collector, Motihari, District-East Champaran.
5. Mr. Som Nath Singh, son of not known to petitioner, the Deputy Collector Land Reforms, Sikrahna, Dhaka, District-East Champaran.
6. Mr. Iftekhhar Ahmad, son of not known to petitioner, the Sub-Divisional Officer, Sikrahna, Dhaka, District-East Champaran.
7. Mr. Abid Ansari, son of not known to petitioner, the Block Development Officer, Block Dhaka, District-East Champaran.
8. Mrs. Rina KUMari, wife of not known to petitioner, the Circle Officer, Dhaka Anchal, district-East Champaran.
9. Mr. Kumar Ashish, son of not known to petitioner, the Superintendent of Police Motihari, District-East Champaran.
10. Mr. Rajesh Kumar, son of not known to petitioner, the Deputy Superintendent of Police Sikrahna, Dhaka, District-East Champaran.
11. Mr. Krish Nath Safi, son of not known to petitioner, the Station House Officer, Dhaka Police Station, District-East Champaran.
12. Mrs. Sindhu Kamal, Wife of not known to petitioner, the Nagar Parishad, Dhaka, District-East Champaran, through its Executive Officer.
13. Mrs. Shaheeda Khatoon, wife of not known to petitioner, the Chairman, Nagar Parishad Dhaka, District-East Champaran.
14. Mrs. Sindhu Kamal, wife of not known to petitioner, the Executive Officer Nagar Parishad Dhaka, District East Champaran.
15. Md. Imteyaz son of Md. Tufail, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
16. Haji Osaid son of Sk. Md. Khalid, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
17. Md. Obaid, son of Sk. Md. Khalid, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.



18. Hashim Mohammad, son of Sk. Tabarak, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
19. Md. Salam, son of Sk. Wasul, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
20. Md. Kalam, son of Sk. Wasul, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
21. Md. Kasim, son of Sk. Tabarak, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
22. Anisur Rahman, son of Abdul Wahab, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
23. Imteyaz Alam, son of Sk. Noman, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
24. Minhaj Alam, son of Sk. Noman, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
25. Javed Akhtar, son of Manan, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
26. Atiullah son of Ibrahim, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
27. Falahuddin son of Zikrullah resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
28. Nasrul Haque, son of Zikrullah, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
29. Atiur Rahman, son of Sanaullah, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
30. Nurul Haque, son of Masiullah, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.
31. Shoaib son of Abdul Khaliq, resident of Village-Chainpur Dhaka, P.O. and P.S.-Dhaka, District-East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahtab Alam, Advocate
For the State	:	Mr. Ajay (GA 5)
For respondent nos. 12 to 14	:	Mr. Prashant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

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

Date : 21-08-2024



The present M.J.C./Contempt Petition is not maintainable in view of the fact that it is not within the time limits stipulated under Section 20 of the Contempt of Courts Act. Co-ordinate Bench 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 elaborately considered Section 20 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution. Recently, on 22.07.2024 Hon’ble Supreme Court in the case of **S. Tirupathi Rao Vs. M. Lingamaiah & Ors.** reported in **2024 SCC OnLine SC 1764** held that belated Contempt petitions are not entertainable.

2. Accordingly, the present M.J.C/Contempt petition stands disposed of as not maintainable. Disposal of the present petition would not be a hurdle for the petitioner to invoke writ jurisdiction in accordance with law. Pending I.As, if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

