

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2299 of 2021

In

Civil Writ Jurisdiction Case No.8399 of 2021

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Rakesh Kumar Paswan, son of Ram Sundar Paswan, Resident of Village-Kusmaul Rampatti, Police Station-Rajnagar, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Mr. Anand Kishore, Principal Secretary, Nagar Vikas and Awas Vibhag, Patna, Bihar.
2. Shri Arvind Kumar Choudhary, The Gram Panchayat Raj, Patna, Bihar.
3. Dr. Manish Kumar, The Divisional Commissioner, Darbhanga, Bihar.
4. Mr. Amit Kumar, The District Magistrate, Madhubani.
5. Mrs. Nivedita Kumari, The Block Development Officer, Rajnagar, Police Station Raj Nagar, District-Madhubani.
6. The Block Cultural Officer, Raj Nagar, Police Station Raj Nagar, District-Madhubani.
7. Mr. Ashok Kumar Yadav, The Mukhiya Gram Panchayat Raj, Mahinathpur, Block Raj Nagar, District-Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Pratap, Advocate

For the Opposite Party/s : Mr. Ajay, GA -5

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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)

5 16-01-2024 1. The present MJC is filed for non-compliance of the order of this Court dated 20.07.2021 passed in CWJC No.8399 of 2021, direction is only to consider representation. During pendency the present MJC, the concerned authority proceeded to pass order on 15.06.2023.

2. Having regard to the dates and events the concerned respondent was required to comply the orders of this



Court on or before 29.10.2021, the petitioner's representation dated 30.07.2021. There is a delay of about one and half years in complying the orders of this Court. There is no application for extension of time.

3. Even assuming that there was a COVID-19 period and it was invogue till March 2022 whereas the order has been complied on 15.06.2023 which is more than one year. Therefore, prima facie the concerned respondents have committed contempt of Court.

4. In stead of taking contempt of court action and having regard to the fact that concerned respondent has complied orders belatedly on 15.06.2023, it suffice to impose litigation cost and it is quantified at Rs.5000/-. Cost should be paid to the petitioner from the respondent office within a period of eight weeks from the date of receipt of this order.

5. The MJC stands dropped reserving liberty to the petitioner to challenge the order dated 15.06.2023 in accordance with law.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

Prakash Narayan

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