

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3268 of 2023

In
Civil Writ Jurisdiction Case No.10258 of 2023

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Rajesh Kumar, son of Ramashish Prasad Yadav, resident of village Paijuna,
P.O. Paharpur, Police Station- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Dipak Kumar Singh, the Additional Chief Secretary, Cooperative Department, Government of Bihar, New Secretariat, Patna.
2. Sri Dipak Kumar Singh, the Additional Chief Secretary, Cooperative Department, Government of Bihar, New Secretariat, Patna
3. Sri Shashi Shekhar Sinha, the Divisional Joint Registrar, Nawada.
4. Sri Subhash Kumar, Assistant Registrar, Nawada.
5. Sri Ashutosh Kumar Verma, the District Magistrate, Nawada
6. Sri Santosh Kumar, the District Cooperative Officer, Nawada
7. Sri Subhash Chandra Verma, the District Audit Officer, Nawada
8. Sri Rohit Kumar, the Circle Officer, Circle Office Akbarpur, Nawada.
9. Sri Srikant Prasad, Revenue Karamchari, Akbarpur Anchal, Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, AC to GA- 13

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-02-2024

Heard Mr. Rabi Bhushan Prasad, learned counsel
for the petitioner and Mr. Sanjay Kumar, learned counsel for the
State.

2. The petitioner by filing the present application
seeking initiation of a contempt proceeding against the opposite
parties for their alleged willful disobedience of the order dated
14.09.2023, passed by this Court in C.W.J.C. No. 10258 of



2023, whereby a direction has been issued to the District Cooperative Officer, Nawada to conclude the enquiry keeping in view the guidelines issued by the Government of Bihar in the Department of Cooperative and take appropriate action for construction of godown of Paijuna PACS in its headquarter.

3. Submission has been made that the order of this Court has not been complied with in its letter and spirit and, in fact, in the flagrant disobedience of the order of this Court, the District Cooperative Officer, Nawada vide Memo No. 928, dated 13.10.2023 has passed a reasoned and speaking order in the matter of the construction of Godown in village Paijuna, though there was no such need of the same. Further submission has been made that while constructing the PACS godown, the opposite parties have completely violated the provisions contained in letter no. 10794 dated 26.12.2016 issued under the signature of Principal Secretary, Cooperative Department, Government of Bihar and the District Cooperative Officer (opposite party no.6) has knowingly ignored the report of the Anchal Amin.

4. A rejoinder to the show-cause has also been filed raising various other points, which have also been looked into.

5. Considering the fact that show-cause clearly



depicts that in the light of the order of this Court, a detailed enquiry was conducted and the objections of the petitioner were found fanciful and misleading, thus reasoned order has been passed.

6. In view of the submissions advanced and averments made in the show-cause, as also the reasoned order passed by the District Cooperative Officer, Nawada, this Court does not find any reason to continue with the present contempt petition.

7. Accordingly the contempt petition stands dismissed.

8. However, if the petitioner is not satisfied with the order passed by the District Cooperative Officer, Nawada, he has a remedy to assail the same in an appropriate forum.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.02.2024
Transmission Date	NA

