

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.770 of 2018

In
Civil Writ Jurisdiction Case No.15133 of 2017

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1. Kumar Arvind Gupt @ Arvind Kumar, Son of Late Ayodhya Prasad Gupt, R/o 275, East of Black Gate, Town P.S.- Phulwari Sharif, District- Patna.
 2. Md. Mumtaj Hasan Faizi, Son of Sayed Badrul Hasan,
 3. Md. Imteyaz Ahmad, Son of Late Israr Ahmad, Both Resident of Mohalla-Minhaj Nagar, Town P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. Sri Chaitanya Prasad, The Principal Secretary, Bihar Urban Development Department State Of Bihar, Patna.
2. Sri Amrendra Prasad Singh, The Managing Director, Bihar, Urban Infrastructure Development Corporation Ltd. (BUIDCO)
3. Sri Chaitanya Prasad, The Director-Cum- Principal Secretary BUIDCO.
4. Sri Abhishek Singh The Director-Cum- Municipal Commissioner BUIDCO. The address of 2,3 and 4 is as 303 Third Floor, Maurya Lok Complex, Dak Banglow Patna, Bihar – 800001.
5. Sri Lakhindra Paswan The Executive Officer, Nagar Parishad Near Phulwarisharif, Thana Town P.S.- Phulwarisharif, Patna.
6. Sri Anand Kumar, The City Manager, Nagar Parishad, Near Phulwarisharif Thana, Town P.S.- Phulwarisharif, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.
For the Respondent	:	Mr. Lalit Kishore, Sr. Advocate
		Mr. R.K. Priyadarshi, Advocate
For the State	:	Mr. Yogendra Prasad Sinha – AAG-7

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

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

Date : 19-03-2024

None appears for the petitioner.

2. The present M.J.C / Contempt petition is filed
for non-compliance of order dated 03.11.2017 passed in



C.W.J.C. No. 15133 of 2017.

3. Grievance of the petitioner is in respect of construction of destructed drainage, which was causing inconvenience to the general public. This Court has passed order on 03.11.2017 at the stage of admission, itself, resulted in there was no opportunity for the Respondent Nos. 5 and 6 to apprise this Court. Grievance of the petitioner was already redressed on 11.07.2017 as is evident from paragraph Nos. 3 and 4 of the Show Cause filed on behalf of Respondent Nos. 5 & 6. Paragraph Nos. 3 & 4 reads as under:

“03. That it is stated and submitted that Storm Water Drainage Scheme, Phase-1 under Phulwari Sharif Nagar Parisad from Khagaul Lukh to Biscut factory had been completed which has been informed by Project Director, SIU-2, BUIDCo, Patna vide his letter no. 138 dated 11.07.2017. There is no hole or mishep after construction of said storm water Drainage.

04. That in regard to Storm Water Drainage Scheme, Phase-2 from B.M.P. 16 to Bhagat Singh Chowk and Storm Water Drainage Scheme, Phase-3 from Khoja Imali to Bhagat Singh Chowki under Phulwari Sharif Nagar Parisad, the Urban Development and Housing Department, Bihar, Patna vide letter no. 117 dated 19.02.2018 had granted administrative approval of Rs. 25,27,29, 700.00 for the same. As per clause 3 of said administrative approval of department out of 25,27, 29,700.00 made allotment of Rs. 6,31,82,425.00 vide memo no. 169 dated



25.10.2016 and same had been released to Executive Officer, Phulwarisharif Nagar Parisad which has been already transferred to Managing Director, BUIDCo.”

4. Taking note of these material information, the Respondents have not committed any contempt so as to initiate Contempt of Court proceedings against Respondent Nos. 5 & 6 and other respondents, who are connected with the matter.

5. Accordingly, the present M.J.C. / Contempt petition stands dropped, reserving liberty to the petitioner to file Interlocutory Application, if the petitioner is not satisfied with the show cause read with the documents filed on behalf of Respondent Nos. 5 & 6 in reviving the present order.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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AFR/NAFR	N.A.F.R
CAV DATE	N.A
Uploading Date	21.03.2024
Transmission Date	N.A

