

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3612 of 2023

In
Civil Writ Jurisdiction Case No.15248 of 2023

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Tujar Alam Son of Md. Ejhar Resident of Village Sitanabad, P.S. Simri
Bakhtiarpur, District Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Industry, Government of Bihar, namely Sri Sandip Poundrik, Son of not Known to the Petitioner.
2. The Infrastructure Development Authority (A Govt. of Bihar Undertaking) 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna through its Managing Director namely Sri Sandip Poundrik, Son of Not Known to the Petitioner.
3. The Managing Director, Infrastructure Development Authority (A Govt. of Bihar Undertaking) 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna. Namely Sri Sandip Poundrik, Son of not Known to the Petitioner.
4. The Director (Programme Implementation) Infrastructure Development Authority (A Govt. of Bihar Undertaking) 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna. namely Sri Santosh Kumar, Son of not Known to the Petitioner.
5. The Executive Engineer (Technical) Infrastructure Development Authority (A Govt. of Bihar Undertaking) 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna. Namely Son of Sri Awadhesh Kumar Son of not Known to the Petitioner.

... .. Opposite Party/s

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with

Civil Writ Jurisdiction Case No. 15248 of 2023

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Tujar Alam Son of Md. Ejhar, resident of Village Sitanabad, P.S. Simri
Bakhtiarpur, District Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Industry, Government of Bihar, Patna.
2. The Infrastructure Development Authority (A Govt. of Bihar Undertaking) 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna through its Managing Director.
3. The Managing Director, Infrastructure Development Authority (A Govt. of Bihar Undertaking) 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna.
4. The Director (Programme Implementation) Infrastructure Development Authority (A Govt. of Bihar Undertaking) 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna.



5. The Executive Engineer (Technical) Infrastructure Development Authority
(A Govt. of Bihar Undertaking) 1st Floor, Udyog Bhawan, East Gandhi
Maidan, Patna.

... .. Respondent/s

Appearance :

(In Miscellaneous Jurisdiction Case No. 3612 of 2023)

For the Petitioner/s : Mr.Prabhat Ranjan
For the Opposite Party/s : Mr.Bindhayachal Singh, Sr. Adv
Mr. Parth Gaurav (IDA)
Mr. Vikash Kumar

(In Civil Writ Jurisdiction Case No. 15248 of 2023)

For the Petitioner/s : Mr.Prabhat Ranjan
For the Respondent/s : Mr.Bindhayachal Singh, Sr. Adv
Mr. Parth Gaurav (IDA)
Mr. Vikash Kumar

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

9 01-08-2024

MJC No. 3612 of 2023

The present contempt petition is in violation of
interim order dated 09.11.2023 passed in CWJC No. 15248
of 2023. It is relevant to reproduce para 5 of the order dated
09.11.2023 and it reads as under:-

*Taking note of these facts and
circumstances, the petitioner has made out a
prima-facie case for grant of interim order.
Accordingly, impugned communication dated
16.09.2023, stands stayed, till next date of
hearing.*

2. On 13.11.2023, Executive Engineer (Technical)
proceeded to issue show cause notice followed by
rescinding order and thereafter it was withdrawn on



01.03.2024. Executive Engineer (Technical), Rajesh Kumar, has committed a blunder in issuing show cause notice and proceeded to rescind the order or contract which was in favour of the petitioner and it is clear violation of interim order dated 9.11.2023 passed in CWJC No. 15248 of 2023. Having regard to the later development to the extent that it was sought to be withdrawn after about few months still he is liable for Contempt of Court action. Instead of initiating Contempt of Court proceedings in framing charges, we are of the opinion that imposition of cost suffice. Cost is quantified @ Rs. 25,000/-. Cost shall be remitted in the Patna High Court Legal Services Committee within a period of four weeks. Failing which Registry is requested to list this matter for suo-moto action. In the light of the aforementioned observation, present **MJC No. 3612 of 2023** stands dropped.

Ref:- CWJC No. 15248 of 2023

The respective parties are making counter allegation/dispute. The Executive Engineer (Technical) is hereby directed to resolve the same. The petitioner shall appear in the office of the Executive Engineer (Technical)



on 05.08.2024.

2. Re-list **CWJC No. 15248 of 2023** on
12.08.2024.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

vashudha/-

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