

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1041 of 2025

In
Civil Writ Jurisdiction Case No.1974 of 2019

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Asha Kumari W/o Bhola Kumar, Resident Mohalla- Ashok Nagar Road No. 9(A) P.O.- Lohia Nagar, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Excise Department, Government of Bihar, Patna namely Vinod Singh Gunsiyal.
2. Dr. Chandra Shekhar Singh, District Magistrate, Patna.
3. The Avkash Kumar, Senior Superintendent of Police, Patna.
4. Neeraj Thakur, S.H.O of Police Station Kankarbagh, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Vikash Kumar, SC-11

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

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

3 29-07-2025 No one appears for the petitioner.

2. The present MJC is filed in the year 2025 arising out of CWJC No. 1974 of 2019 decided on 04.02.2019.

3. The petitioner should have approached this Court within one year from the date of cause of action pursuant to the order dated 04.02.2019 passed in CWJC No. 1974 of 2019. Moreover, to entertain M.J.C-Contempt Petition, the concerned party has to approach this Court within one year from the date of order of this Court, in the light of Section 20 of the Contempt



of Courts Act, 1971 read with Article 215 of the Constitution of India. Therefore, the present contempt petition is not maintainable. Co-ordinate Bench in case of **Dr. Rajesh Kumar Sinha and others Vs. The Union of India and others (M.J.C. No. 1840 of 2023)** elaborately considered the aforementioned provisions and proceeded to dismiss the Contempt Petition on the ground of delay. The Hon'ble Supreme Court in the case of ***S. Tirupathi Rao vs. M. Lingamaiah & others (2024 SCC Online SC 1764)*** decided on 22nd of July, 2024, in which Contempt Petition was dismissed on the ground of delay.

4. Taking note of these facts and circumstances, petitioner has not made out a case so as to entertain the present Contempt Petition beyond one year from the date of cause of action accrued to him.

5. Accordingly, the present contempt petition stands disposed off, reserving liberty to the petitioner to file fresh writ petition, if so advised.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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