

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1420 of 2024

In

Civil Writ Jurisdiction Case No.1108 of 2020

Chandan Kumar Singh, Son of Late Anil Kumar Singh, Resident of Village-Harail, Post- Harail, P.S.- Mohiuddin Nagar, District- Samastipur, Bihar, Pin Code No.- 848501.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Home Department, Bihar, Patna.
2. Senthil K. Kumar Principal Secretary, Home Department, Bihar, Patna.
3. Rajvinder Singh Bhatthi, The Director General of Police, Bihar, Patna.
4. Rakesh Kumar, The District Magistrate, Jamui.
5. Shaurya Suman, The Superintendent of Police, Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Additional Advocate General 3

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 04-08-2025 1. The present application has been filed for initiating contempt against the Superintendent of Police, Jamui, for his willful and deliberate defiance of the order of this Court.
2. Learned counsel for the petitioner submits that this Court vide its order, dated 16.11.2022, disposed the writ application filed by the petitioner in terms of order, dated 26.08.2022, passed in CWJC No. 8149 of 2018, directing the authorities to consider the claim of the petitioner for compassionate appointment in terms of the decision



quoted in the order, dated 26.08.2022, passed by this Court, ignoring earlier decision for rejecting the claim of the petitioner vide letter, dated 06.04.2020, issued by the Superintendent of the Police.

3. Learned counsel further submits that the writ petition was disposed in terms of CWJC No. 8149 of 2018, and the Writ Court specifically relied upon the paragraph nos. 48 and 49 of the judgment rendered by Full Bench, reported in **2018 (2) PLJR 951 (Niraj Kumar Mallick v. The State of Bihar and Ors.)**.
4. The Superintendent of Police, taking into consideration, the reported paragraphs of the Full Bench judgment (Supra), has mechanically passed the order rejecting the claim of the petitioner vide its letter, dated 28.02.2024, annexed at Annexure-R/G to the show-cause.
5. The petitioner filed the present contempt application alleging that the Superintendent of Police has misinterpreted the order, dated 16.11.2022, passed by this Court, and rejected the claim of the petitioner without considering the judgment of Full Bench (supra).
6. The petitioner challenged the rejection of his claim for compassionate appointment, which was disposed by the order, dated 10.02.2025, passed in CWJC No. 2115 of



2025, by a Co-ordinate Bench of this Court, wherein, the Court observed that while deciding the matter of the petitioner, the concerned-authorities has not considered the judgment passed by this Court in CWJC No. 8149 of 2019 (**Sittu Kumar v. The State of Bihar and Ors.**).

7. The impugned letter, dated 28.02.2024, has been set aside and the concerned-authorities has been directed to reconsider the claim of the petitioner afresh and pass a reasoned order in light of the judgment passed by this Court in the case of Situ Kumar (supra) within a period of 45 days.
8. In view of the aforesaid fact that the letter, dated 28.02.2024, has been set aside and has been remanded for reconsideration before the concerned-authorities by the order, dated 10.02.2025, passed by a Co-ordinate Bench of this Court, this contempt application is, accordingly, dismissed as infructuous.

(Anil Kumar Sinha, J)

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