

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3687 of 2024

In
Letters Patent Appeal No.279 of 2019

1. Dharmshila Sinha Wife of Narendra Deo Singh, resident of Bhabha Colony, Hanumannagar, Kankarbag, Patna, P.S. - Patrakar Nagar, District- Patna.
2. Kaushlendra Kumar, Son of Late Chandeshwar Prasad Singh, resident of Bhabha Colony, Hanumannagar, Kankarbag, Patna, P.S. - Patrakar Nagar, District- Patna.
3. Moti Jhari Devi, Wife of Late Rajeshwar Singh, resident of resident of Bhabha Colony, Hanumannagar, Kankarbag, Patna, P.S. - Patrakar Nagar, District- Patna.
4. Jitendra Kumar, Son of Late Rajeshwar Singh, resident of resident of Bhabha Colony, Hanumannagar, Kankarbag, Patna, P.S. - Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Dr. Sandeep Kumar R Pudukalkatti, the Principal Secretary Department of Road Construction, Government of Bihar, Patna.
2. Dr. Sandeep Kumar R Pudukalkatti, the Principal Secretary, Department of Road Construction, Government of Bihar, Patna.
3. Dr. Chandrashekhar Singh, the District Magistrate-Cum-Collector, Patna.
4. Pramod Kumar, the District Land Acquisition Officer, Patna.
5. Laxmi Narayan Singh, the Chief Engineer-In-Charge, Department of Road Construction, Government of Bihar, Patna.
6. Bihar State Housing Board through Shirsat Kapil Ashok its Managing



Director, 6 Mangles Road, Patna.

7. Shirsat Kapil Ashok, the Managing Director, Bihar State Housing Board, 6 Mangles Road, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar Ambastha, SC-25
Mr. Santosh Kumar Mishra AC to SC-25

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 16-06-2025

The contempt petition is belatedly filed for the reason that co-ordinate bench order is dated 12.02.2021 passed in LPA No. 279 of 2019. Direction was to extend certain benefits on par with similarly situated petitioners in CWJC No. 4101 of 2012 decided on 23.04.2012.

2. Learned counsel for the appellant submitted that certain benefits have been extended on 20.12.2021 and some more benefits are required to be extended, therefore, the present contempt petition has been filed in the year 2024. *Prima facie* on the ground of delay and in the light of Section-20 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, the present contempt petition do not sustain. 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.

3. Learned counsel for the petitioner further submitted that certain benefits have been extended on 20.12.2021 and yet some more benefits were required to be extended. It is to be noted that co-ordinate bench order dated 12.02.2021 passed in LPA No. 279 of 2019 is not crystal clear as to what are the benefits to be extended to the petitioner. It speaks of only extending certain benefits. If the petitioner is disputing certain benefits which are still to be extended by the concerned respondent, in that event, he has a fresh cause of action as on 20.12.2021. In this regard, he is permitted to approach the concerned authority by submitting detailed application/representation apprising the concerned authority that what are the benefits which were required to be extended to the petitioner. If such application/ representation is submitted to the concerned authority, the concerned authority is requested to pass



suitable order and communicate the same to the petitioner within a reasonable period of three months from the date of receipt of such application/representation.

4. With the above observation, the present petition stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.06.2025
Transmission Date	NA

