

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4331 of 2024

In
Letters Patent Appeal No.309 of 2019

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Jagdish Prasad @ Jagdish Prasad Singh, S/o- Late Lal Bihari Singh, Resident of Village - and P.O. - Basuhar, Via - Punpun, P.S.-Punpun, District - Patna, Presently residing at north Anand- Puri, West Boring Canal Road, PATNA.

... .. Petitioner.

Versus

1. The State of Bihar through the Chief Secretary Sri Amrit Lal Mena, Government of Bihar, Patna.
2. The Principal Secretary, Sri Pratya Amrit, Department of Health, Government of Bihar, Patna.
3. The Director, Health Service (Fileria Control), Government of Bihar, Dr. Rakesh Chandra Sahay Verma.
4. The Deputy Director, Sri D.K. Mishra, Health Services (Falaria Control), Government of Bihar, Patna.

... .. Opposite Parties.

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Appearance :

For the Petitioner : Mr. Jitendra Kumar, Advocate.
For the State : Mr. Additional Advocate General- 9.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 14-02-2025

Petitioner has presented this Contempt/M.J.C. Petition in the light of the order dated 19.02.2021 passed in L.P.A. No.309 of 2019 read with the petitioner's representation dated 24.09.2021 and the present Contempt/M.J.C. Petition is filed in the year 2024.

2. The present Contempt/M.J.C. Petition is not maintainable in the light of Section 20 of the Contempt of



Courts Act, 1971 read with Article 215 of the Constitution. Coordinate Bench of this Court in the 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 to the extent that Contempt Petition cannot be entertained beyond one year period. Further, recently, the Hon’ble Supreme Court in the case of **S. Tirupathi Rao Versus M. Lingamaiah and Others decided on 22nd of July, 2024 {2024 SCC OnLine SC 1764}** has held that belated Contempt Petition is not entertainable.

3. Accordingly, the present Contempt/M.J.C. Petition stands disposed of as not maintainable reserving liberty to the petitioner to file a fresh writ petition, in accordance with law.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.02.2025.
Transmission Date	NA

