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Radha Ram Vs. the State of Bihar and ors.

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Court : Patna

Decided On : May-11-2012

Appellant : Radha Ram

Respondent : The State of Bihar and ors.

Judgement :
IN THE HIGH COURT OF JUDICATURE AT PATNA Miscellaneous Jurisdiction Case No.3776 of 2010 Radha Ram son of Sri Daroga Choudhary, resident of Nalanda Colony, Khajpura, Police Station Shastri Nagar, District Patna, at present posted as the Suprintending Engineer, Head Works Circle, Bagmati Nagar Camp, Sitamarhi, Distt. Sitamarhi. ------ Petitioner. Versus 1. The State Of Bihar through Sri Anup Mukherji, the Chief Secretary, Government of Bihar, Patna.

2. Sri Ajay Naik, the Principal Secretary, Water Resources Department, Government of Bihar, Patna.

3. Sri Ashok Kumar Prasad, the Joint Secretary (Management), Water Resources Department, Government of Bihar, Patna.

4. Sri Rabindra Shankar, the under Secretary, Water Resources Department, Government of Bihar, Patna. ------ Opposite parties. ---------- 5. 11.01.2012 Heard learned counsel for the petitioner and the Opposite parties on petition of show cause and reply to the show cause. The petitioner has prayed for initiation of contempt against the Opposite parties for non-compliance of the order dated 30.6.2010 passed in C.W.J.C. No. 732 of 2010. A show cause has been

filed on behalf of the Respondent No. 4, i.e. Under Secretary, Water Resources Department, Government of Bihar, Patna, wherein an order of L.P.A. Court dated 29.7.2011 passed in L.P.A. No. 1782 of 2010 has been annexed. It has been submitted on behalf of the State that now the order of the Single Judge has merged with that of the Appellate Court and, therefore, if at all the Respondents have committed contempt of the order of the Appellate Court. The counsel for the petitioner submits that since the 2 original contempt was of the Single Judge, therefore, the contempt would lie here. Considering the subsequent developments in the case, the application is disposed off with liberty to the petitioner to move before the appropriate Court for redressal of his grievance. The application is disposed off with the aforesaid considerations. (Anjana Prakash, J.) S.Ali

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