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10/5/13

In the High Court of Judicature at Patna

Miscellaneous Judicial Case

MJC No. of 2013

(Arising out of CWJC No. 1661/2012)

Bambahadur Singh

Versus

The State of Bihar & others

Subject :- Contempt matter.

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In the High Court of Judicature at Patna

Miscellaneous Judicial Case

MJC No. of 2013

(Arising out of CWJC No. 1661/2012)

In the matter of an
application under Article
215 of the constitution of
India.

And

In the matter of
Bambahadur Singh son of Late Parmanand Singh, Gram
Sakhua, Panchayat - Dinapatti Sakhua, P.S.- Muraliganj,
District- Madhepura, Bihar.

Petitioner

 . Versus

1. The State of Bihar through the Chief
Secretary, Old Secretariat, Patna, Bihar.
2. Bimalanand Singh The Commissioner, Saharsa.

3. Mr. Upendra Kumar, The District Magistrate,
Madhepura.
4. Mr. Durga Nand Jha, The District Supply Officer,
Madhpura.
5. Mr. Bimal Kumar Singh, the Sub- Divisional Officer,
Madhepura.

----- Respondents.

To,

The Hon'ble Ms. Justice Rekha M. Doshit , the
Hon'ble Chief Justice of the High Court of
Judicature at Patna and her companion justices
of the said Hon'ble Court.

The humble petition on
behalf of the petitioner
above named.



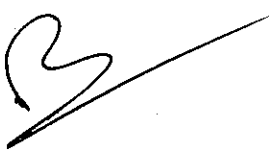
Most Respectfully Sheweth:

1. That this is an application for issuance of the
contempt proceeding agaisnt the opposite parties
for willfully disobeying the order dated 25.07.2012
of Hon'ble Justice V.N. Sinha in CWJC No. 1661/

2012. The Hon'ble High Court directed to pass the appropriate order within a period of two months from the date of filing of the representation.

2. That the petitioner filed the writ petition before this Hon'ble Court of Judicature at Patna vide CWJC No. 1661/12 for direction and commanding the respondents for issuing the licence of Public Distribution Shop.
3. That the petitioner gave the representation before the District Magistrate, Saharsa on 06.08.12 and the representation was duly received by the office.

The photo copy of representation is annexed herewith and marked as Annexure-2 to this petition.

- 
4. That after filing of the representation the petitioner is running from pillar to post for compliance of the order contained in Annexure-1 passed by this Hon'ble Court. It is painful and

shocking to mention here that inspite of sincere efforts, Respondents did not give any attention to pass the order on representation filed by the petitioner in the light of the Judgement of Hon'ble High Court.

5. That to the petitioner's knowledge uptill now nothing has been done in this regard. They are willfully disobeying the order of this Hon'ble Court. So they are liable for contempt proceeding.
6. That the petitioner is already in heavy financial pressure due to his illness and family problems.
7. That the petitioner has not moved before this Hon'ble Court ealier in present matter.

It is, therefore, prayed that your Lordship may graciously be pleased to admit this application, issue notice to opposite parties to show cause as to why not the contempt proceeding be instituted against them and upon such show cause



as may be shown by the contemner
opposite parties, be punished
suitably for their deliberate and
wilfully violation of the order of this
Hon'ble Court.

And/Or

Pass such other order or orders as
your Lordship may deed fit and
proper.

And for this the petitioner shall ever pray.

A handwritten signature or mark, possibly a stylized 'B' or a similar symbol, followed by a long horizontal line extending to the right.

AFFIDAVIT

I, Bambahadur Singh, aged about 58 years, son of Late Parmanand Singh, Gram Sakhua, Panchayat - Dinapatti Sakhua, P.S.- Muraliganj, District- Madhepura, Bihar. , do hereby solemnly affirm and state as follows :-

1. That I am petitioner no. 1 in this case and am well acquainted with the facts and circumstances of this case.
2. That the contents of this petition have been read over and explained to me in Hindi which I have understood the same.
3. That the statements made in para Nos. ...2, 3...
..... are true to my knowledge and those made in para Nos.4 to 7..... are true to my information derived from the records of this case and rests are by way of submissions in this Hon'ble Court.
4. That annexures are true copies of respective originals.

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Annexure - 1

COURT FEE
 Rs. 0000001
 71466
 BIHAR
 INDIA
 Zero-Zero-Zero-Zero-Zero-Zero-Zero-One

DEPARTMENT OF POST
 BIHAR CIRCLE
 COURT FEE
 AUTH. NO. 3AMUDAKPR001 23/08/2012
 INDIA
 71466
 BIHAR
 25-07-2012

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1661 of 2012

Bambahadur Singh Son Of Late Parmanand Singh Gram-Sakhua,
 Panchayat-Dinapatti Sakhua, P.S.-Muraliganj, District-Madhepura, Bihar

..... Petitioner

Versus

1. The State Of Bihar Through The Chief Secretary, Old Secretariat, Patna, Bihar
2. The Divisional Commissioner, Saharsa
3. The District Magistrate, Madhepura
4. The District Supply Officer, Madhepura
5. The Sub-Divisional Officer, Madhepura

..... Respondents

Appearance:

For the Petitioner : Mr. Bimlesh Kumar Jha
 For the Respondents : Mr. Shashidhar Jha, AC to G.A.-2

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 25-07-2012

Heard learned counsel for the petitioner and the State.

2. Petitioner is an applicant for grant of PDS licence.

3. It is submitted on behalf of the petitioner that in spite of recommendation by the Block Supply Officer and the Licensing Authority i.e. Sub-Divisional Officer, Madhepura, the District Level Committee, which is entrusted with the jurisdiction to consider the grant of PDS licence, has not considered the case of the petitioner for grant of PDS licence.

4. Let the District Magistrate, Madhepura consider the aforesaid request of the petitioner and ensure consideration of his request for grant of PDS licence by the District Level

8

Committee within a reasonable time, not exceeding two months from the date of receipt/ production of a copy of this order before the District Magistrate, Madhepura.

5. The writ petition is, accordingly, disposed of.

Sd/-
(V.N. Sinha, J)

Arjun/-

PLEASE TO BE TRUE PHOTO COPY

C. Barua
1.8.2012
For Joint Registrar (J)
Patna High Court
Established 18/5/76

M. K. Singh
01/8/2012
90/2/92/28



To

The District Magistrate
Madhepura.

Subject

CWJC NO - 1661/2012.
Bambahadur Singh
versus.
The state of Bihar & others.

Sir

With reference to above writ case Hon'ble High Court has directed to consider the application of the petitioner for grant of PDS within two months. The certified copy of order of Hon'ble High Court is attached with this for your needful action. I have submitted all required papers before authorities concerned. The order is passed on 25/07/2012.

Thanking you.

Yours

MAR 26/12 05/08/12
Bambahadur Singh.
S/o Lali Parmanand Singh.
Gram - Sakhua.
Panchayat - Dinapatti Sakhua.
P.S - Murligany.
District - Madhepura.
Mobile No. 9973410965