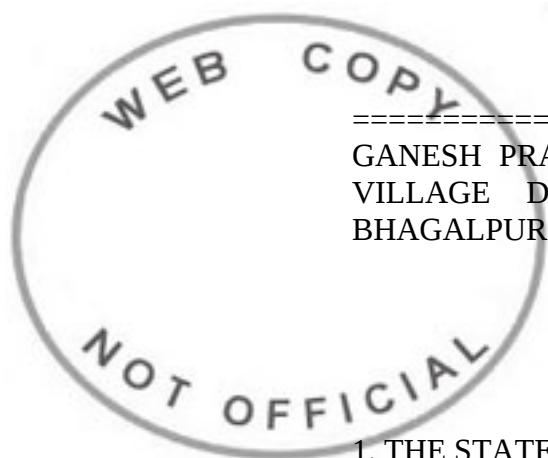




IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.367 of 2014

IN

15 14062 of 2005

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GANESH PRASAD TIWARY S/O LATE SURYA NARYAN TIWARY R/O
VILLAGE DESHAWAR, P.S. KARHARIA IN THE DISTRICT OF
BHAGALPUR.

.... PETITIONER/S

VERSUS

1. THE STATE OF BIHAR THROUGH ITS SECRETARY.
2. MR. SANDEEP POUNDRIK, SECRETARY, DEPARTMENT OF ENERGY, GOVT. OF BIHAR, PATNA.
3. MR. BIRENDRA PRASAD, CHIEF ELECTRICAL ENGINEER, DEPARTMENT OF ENERGY, GOVT. OF BIHAR, PATNA.
4. MR. NARESH PRASAD YADAV, ELECTRICAL SUPERINTENDEING ENGINEER, ELECTRICITY WORK CIRCLE, SOUTH BIHAR POWER HOLDING CO. LTD., S.B.P.H.C.L., PATNA. NULL NULL
5. MR. SHIV NANDAN PRASAD, ELECTRICAL EXECUTIVE ENGINEER, ELECTRICITY WORK CIRCLE, SOUTH BIHR POWER HOLDING CO. LTD., S.B.P.H.C.L., BHAGALPUR.

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : MR. SOURENDRA PANDEY, ADVOCATE.
For the Respondent/s : MR. SANJAY KUMAR, AC TO SC-10.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT

Date: 13-02-2015

Heard learned counsel for the petitioner and learned
counsel for the opposite parties.

The present contempt application has been filed for
noncompliance of the order dated 11.05.2011 passed in C.W.J.C.
No. 14062 of 2005, whereunder the observation was made to the
effect that with regard to the liability of the State Government, the

Chief Secretary of the State Government shall decide as to which Department, Board or Corporation, shall pay. If the order is not complied, contempt shall be drawn against the respondents.

Learned A.C. to S.C. 10 appearing for the State submits that in compliance of the order under contempt, the order has been passed by the Principal Secretary, Energy Department, Government of Bihar, Patna, (opposite party no.2) and accordingly all the dues have been paid to the petitioner only 10% pension and amount of gratuity have been withhold, in the light of the circular of the Finance Department as the petitioner is convicted in a criminal case.

Since the order, under contempt, has already been complied with, therefore, no action is required. If the petitioner feels any grievance, he may take recourse in accordance with law before the appropriate forum. Accordingly, this contempt application is disposed of.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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