

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.3885 of 2014**

**In**

**Civil Writ Jurisdiction Case No. 5219 of 2014**

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Manoj Kumar, Son of Late Prakasha Nand Jha, Resident of Village-  
Chairaiyabad, P.O. Ratanpur, P.S. Barivarpur, District- Munger

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Sridhar Chari Bolu, the Chairman, Bihar State Bridge Construction Corporation Limited, 7, Sardar Patel Marg, Patna-15.
3. Sri Ravi Shankar Prasad Singh, the Managing Director , The Bihar State Bridge Construction Corporation Limited, 7, Sardar Patel Marg, Patna-15
4. Sri Gunanad Jha, the Secretary (Planning and Administration), Bihar State Bridge Construction Corporation Limited, 7, Sardar Patel Marg, Patna-15
5. Sri Ravi Shankar Prasad Singh, the Deputy Chief Engineer, Bihar State Bridge Construction Corporation Limited, North Bihar Circle, Patna.
6. Sri Balkrishna Singh, the Senior Project Engineer, Bihar State Bridge Construction Corporation Limited, Works Division, Muzaffarpur

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Singh, Sr. Advocate

For the O.P. No. 2-6 : Mr. Lalit Kishore, Sr. Advocate

Mrs. Binita Singh

For the State : Tripurari Nath Ambastha, A.C. to G.P.-14

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH**

**ORAL ORDER**

4      11-03-2015      1. This is an application seeking initiation of the contempt proceeding against the opposite parties for deliberate disobedience of this Court's order dated 16.05.2014 passed in C.W.J.C. No. 5219 of 2014. A show-cause reply has been filed on behalf of the opposite parties, stating therein that the order of this Court has been complied with and the petitioner has been intimated about the decision in the light of the order of this Court, vide Letter No. 1623 dated 17.06.2014 (Annexure-A).



2. Mr. Umesh Kumar Singh, learned Senior Counsel appearing on behalf of the petitioner, has contended that the opposite parties have just did the formality of passing an order and they have not passed the order in correct perspective. He submits that passing of the order dated 17.06.2014 is mere reiteration of the stand which the opposite parties had taken in the writ proceeding.

3. Be that as it may, upon perusal of the order of this Court dated 16.05.2014, I find that there is no breach of the said order while issuing Letter No. 1623 dated 17.06.2014 in compliance of the said order.

4. In the Letter No. 1623 dated 17.06.2014 issued under the signature of Managing Director, Bihar State Bridge Construction Corporation Limited (hereinafter referred to as the 'Corporation'), the Managing Director, has referred to an office order issued by the Corporation dated 13.03.2010 by which, the Corporation had decided to pay a sum of rupees seven lacs fifty thousand to the petitioner in lieu of his appointment on compassionate ground. Through Letter No. 1623 dated 17.06.2014, the petitioner has been asked to collect the said amount of rupees seven lacs fifty thousand in lieu of his claim for appointment on compassionate ground.

5. Learned Senior Counsel appearing on behalf of the petitioner has submitted that issuance of Letter dated 17.06.2014 cannot be treated to be true compliance of the order of this Court dated 16.05.2014 as it is mere reiteration of earlier decision of the Corporation dated 13.03.2010.

6. I am unable to accept the contention that the Letter dated 17.06.2014 is issued in breach of this Court's order dated 16.05.2014. This Court had simply disposed of the writ application with a direction to the Respondents to take a decision on the petitioner's claim for his compassionate appointment. The decision has been communicated to the petitioner through a Letter dated 17.06.2014, with reference to earlier decision of the Corporation dated 13.03.2010. In my opinion, no contempt is made out in the present facts and circumstances of the case.

7. This application is accordingly dismissed.

8. It goes without saying that the petitioner shall have liberty to question the legality of the decision of the Corporation as contained in Letter No. 1623 dated 17.06.2014 or Office Order dated 13.03.2010 before appropriate forum through appropriate proceeding.

**(Chakradhari Sharan Singh, J.)**

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