

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1911 of 2015

In

Letters Patent Appeal No. 390 of 2014

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Arjun Prasad Verma Son of Late Rameshwar Lal Resident of Village and
P.S. -Deep Nagar, District - Nalanda

.... Petitioner

Versus

1. The State of Bihar
2. Mr. Brajesh Mehrotra, Commissioner Cum Secretary, Health
Department, Bihar New Secretariat, Patna
3. Mr. Anand Kishore, The Additional Secretary, Department of Health,
New Secretariat, Patna
4. Mr. R.D. Ranjan, The Director in Chief, Health Services Bihar, New
Secretariat, Patna
5. Mr. I.D. Ranjan, Tirector TBDC, Agamkuan, Patna-7

.... Respondents

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Appearance :

For the Petitioner : Mr. Prahalad Kumar Bhagat, Advocate
For the Respondent nos. 2 to 5 : Mr. Lalit Kishore, PAAG
Mr. Nawal Kishore Singh, SC 2
Mr. Sunil Kumar, AC to SC 2

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

5 12-10-2015 Pursuant to this Court's order, dated 1.10.2015,

respondent nos. 2, 3, 4 and 5, namely, Mr. Brajesh Mehrotra,

Commissioner-cum-Secretary, Health Department, Bihar, Mr.

Anand Kishore, Addl. Secretary, Department of Health, Patna, Mr.

R D Ranjan, Director-in-Chief, Health Services, Bihar, and Mr. I D Ranjan, Director TBDC, Agamkuan, Patna-7 are personally present before us and have filed their respective show cause reply.

This contempt application alleges willful disobedience of this Court's order, dated 19.3.2015, passed in LPA No. 390 of 2014, whereby, while allowing the appeal preferred by the present petitioner, a Division Bench of this Court has directed the respondents to release the entire pensionary benefits to the appellant.

In the show cause replies filed on behalf of the opposite parties today, it has been stated that payment of full pension and gratuity has been sanctioned and sent to the office of the Accountant General for issuance of authority slip. It has also been stated that the recovery, which the opposite parties earlier intended to make from the petitioner's entitlement against pensionary benefits, has been dropped and the letter, through which the said amount was sought to be recovered, has, now, been recalled.

As regards provident fund amount, it has been stated that through communication, dated 5.10.2015, sent to the office of the General Provident Fund, final withdrawal of the said amount has been sanctioned. This apart, it is not in dispute that the

petitioner has been paid his group insurance amount.

Learned counsel appearing on behalf of the petitioner has, however, contended that there are certain dues, which have still remained unpaid against difference of pay, etc.

In view of the show cause replies filed on behalf of the opposite parties, we find that the order of the Division Bench of this Court, dated 19.3.2015, passed in LPA No. 390 of 2014, has been complied with and no case of deliberate disobedience of this Court's order is made out. Show cause replies, filed on behalf of the opposite parties, are, therefore, accepted, particularly, keeping in view the unqualified apologies tendered by them.

The present contempt proceedings stands closed.

It is, however, made clear that the petitioner shall remain at liberty to approach competent authority for redressal of any other grievance as regards non-payment of any dues and take recourse to such provisions of law, which may be relevant.

(I. A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

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