

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4801 of 2013

IN

Civil Writ Jurisdiction Case No. 5319 of 2009

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Sudhanshu Shekhar Tripathi, S/o Late Raj Bali Tripathi, Resident of Flat No. 304 Shyama Palace Apartment Ved Nagar Rukanpura, P.S. Rupaspur Danapur Patna. Presently Working As Assistant Director of Employment, Government of Bihar, Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Vyas Jee, The Principal Secretary Department Of Labour Resources, Government of Bihar New Secretariat, Patna.
3. Sri A.K. Mallik, The Director Employment And Training, Government Of Bihar, New Secretariat, Patna.
4. Sri Sunil Kumar Verma, Assistant Director, Sub Regional Employment Exchange Patna And Additional In Charge Assistant, Director (Employment) Directorate of Employment, Patna.
5. Shri Rajesh Rajak, Assistance, Section-1. Department of Labour Resources, Government of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner : None

For the opposite parties : Ms. Divya Verma, A.C. to A.A.G. 3.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 12-03-2015

No one appears on behalf of the petitioner to press this application, while learned A.C. to A.A.G. 3 is present.

The present contempt application is filed asserting for non-compliance of the order dated 25.07.2011 passed in C.W.J.C. No. 5319 of 2009, whereunder the aforesaid writ application was disposed of with direction that whether the petitioner had requested or not is irrelevant. What is relevant is that if the respondents as an employer

have opted to give him dual charge, they are bound to pay him officiating allowance for the additional charge in accordance with law.

Learned A.C. to A.A.G. submits that in compliance of the order of the writ Court, after taking the advice of the Finance Department, on 20.04.2013 vide Memo No. 2579, the Secretary, Department of Labour Resources, Government of Bihar, Patna passed the order for payment of additional pay to the petitioner for the period he remained for dual charge at the rate of 250/- per month, its copy was circulated to the petitioner and also to the concerned department, which would appear from Annexure-B and C to the show cause filed on behalf of opposite party no.3. As such, the order under contempt is complied.

In view of the above submission, since the order of the writ Court is complied by the opposite party no.3, no further action is required to be taken. Accordingly, this contempt application is disposed of.

(Rajendra Kumar Mishra, J.)

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