



IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.476 of 2014
IN
Civil Writ Jurisdiction Case No. 1518 of 2011

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M/S P.N. SINGH AND M.P. SINGH THROUGH MAHESH PRASAD SINGH,
PARTNER, R/O DAKBANGLOW ROAD, P.S. MOKAMA AND DISTRICT -
PATNA

.... PETITIONER/S

VERSUS

1. THE UNION OF INDIA THROUGH THE CHIEF ENGINEER, E.C. RAILWAY, HAJIPUR
2. RATAN KUMAR NAME FATHER NAME NOT KNOW TO THE PETITIONER, CHIEF ENGINEER, E.C. RAILWAY, HAJIPUR
3. AKHILESH KUMAR, NAME OF FATHER NO KNOW, PETITIONER, SENIOR DIVISIONAL ENGINEER (COORDINATION), E.C. RAILWAY, DANAPUR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. MITHLESH PRASAD SINGH
For the Respondent/s : Mr. MAHESH PRASAD

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT
Date: 20-02-2015

Heard learned counsel for the petitioner and learned
counsel for the official of the E.C. Railway, Danapur.

The present contempt application has been filed for
noncompliance of the order dated 24.02.2011 passed in C.W.J.C.
No. 1518 of 2011 whereunder the aforesaid writ application was
disposed of with a liberty to the petitioner to file an application
before the Senior D.E.N., E.C. Railway, Danapur, with respect to
its grievance. However, if such an application is filed before the



said authority by the petitioner within fifteen days from today along with a copy of this order, the said authority shall decide the matter in accordance with law by a speaking order within two months thereafter and if any amount including interest is found admitted and payable to the petitioner, the same should be paid immediately thereafter. However, if any amount or interest is found to be not payable by the authority concerned, a speaking order in that regard musty be passed within the same time, which the petitioner will have liberty to challenge before an appropriate forum.

Learned counsel appearing on behalf of the Eastern Central Railway, Danapur, submits that in compliance of the order under contempt, opposite party no. 3 has disposed of the representation of the petitioner by speaking order dated 18.05.2011, which would appear from Annexure 3 of the contempt application. Mr. Ashok Kumar Kehsri, appearing for the Eastern Central Railways, Danapur, submits that admitted dues has already been paid to the petitioner.

Learned counsel for the petitioner submits that order under contempt has not been complied with in accordance with law.

Since the order, under contempt, has been complied

with by the opposite party, therefore, no further action is required as the petitioner has already been given liberty in the aforesaid writ application to challenge before the appropriate forum regarding the amount or interest if found not payable by the authorities concerned. Accordingly, this contempt application is disposed of.

(Rajendra Kumar Mishra, J)

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