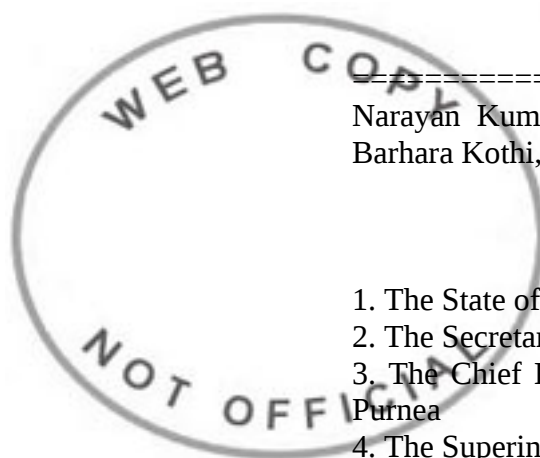




IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1975 of 2012

Narayan Kumar Sah S/O Shri Bhola Sah, R/O Shyama Bazar, Bhatotar, P.S.-
Barhara Kothi, Distt-Purnea,

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. The Secretary (Amanullah), Department of Water Resource, Govt. of Bihar.
- 3. The Chief Engineer (Shri Suresh Choudhary), Department Of Water Resource Purnea
- 4. The Superintending Eng. (Shri Lakshaman Ram), Irrigation Anchal, Purnea.
- 5. The Executive Eng. (Shri Rajeev Ranjan Pd.), Irrigation Division Banmankhi, Purnia.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. PRITAM KUMAR
For the Respondent/s : Mr. NAMRTA MISHRA GP17

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT
Date: 11-02-2015

Learned counsel for the petitioner and learned counsel
for the State are present.

The present contempt application has been filed for
noncompliance of the order dated 25.08.2011 passed in C.W.J.C.
No. 12351 of 2005, whereby the writ application was disposed of
with liberty to the petitioner to approach the Executive Engineer,
Irrigation Division, Banmankhi, Purnea (opposite party no. 5)
along with an application giving details of his claim. If such an
application is field by the petitioner within fifteen days from today
along with a copy of this order, the said authority shall consider



the same and shall decide it by a speaking order within four months thereafter and if any amount or interest is found admitted and payable, the same must be paid to the petitioner by the said authority immediately thereafter. However, if any amount or interest is not found payable and admitted in the said order, the petitioner will be at liberty to challenge the same before an appropriate forum.

Learned counsel for the State submits that the admissible due amount of the petitioner, which has been detailed in paragraph 7 of the show cause field on behalf of the opposite party no. 3, after deduction of Income Tax and Time Extension Rs.1,28,887/- and Rs.11,594/- have already been paid to the petitioner, which would appear from paragraph 5 of the 2nd supplementary show cause filed on behalf of the opposite party no. 5 on 06.02.2015.

Learned counsel for the petitioner submits that the admissible due amount paid to the petitioner is not calculated in proper.

Since the order under contempt has already been complied with, therefore, no action is required as the petitioner has already been given liberty to approach appropriate forum, in case, of amount of interest is not found payable and admitted. Accordingly,

this contempt application is disposed of.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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