

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4315 of 2011

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Birendra Kr. Jha, son of Late Jagdish Jha, resident of village-Belahi, P.O. and P.S. Bihariganj, District-Madhepura.

.... Petitioner.

Versus

1. The State of Bihar.
2. Sri Pratiya Amrit, the Secretary, Road Construction Department, Government of Bihar, Patna.
3. Sri Hussain Esuf Rizvi, the Deputy Secretary Road Construction Department, Government of Bihar, Patna.
4. Sri Baban Ram, the Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna.
5. Sri Baban Ram, the Chief Engineer, Road Construction Department, Government of Bihar, Patna.
6. Smt. Bandana Preysi, the District Magistrate, Gaya.
7. Sri Nand Lal Chaudhary, the Block Development Officer, Barachatti, District-Gaya.
8. Sri A.B. Prasad, the District Provident Fund Officer, District-Gaya.
9. Sri Ravindra Kumar Verma, Sub-Treasury Officer, Barachatti, Sherghati, District-Gaya.
10. Sri I.D.S. Dhariwal, the Accountant General Bihar, Patna.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Satish Chandra Jha-3, Advocate.
For the State : Mr. AC to AAG5

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 18-02-2015

Learned AC to AAG-5, appearing on behalf of the State submits that in compliance of the order dated 29.10.2010 passed in C.W.J.C. No.3530 of 2010, which is under contempt, the representation of the petitioner has been disposed of by the opposite party no.4, the Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna, vide order dated 12.09.2011, which would appear from Annexure-‘A’ to the show cause filed on behalf of

the opposite party nos.1 to 5. It is further submitted that all admitted dues of the petitioner has been accepted except the commutation of pension, which has been refused by the Accountant General, Bihar, Patna.

2. Learned counsel appearing on behalf of the petitioner submits that commutation of pension of the petitioner has been refused by the Accountant General, Bihar, Patna, due to non sending the application for commutation of pension of the petitioner within time to the Accountant General, Bihar, Patna.

3. Since the order under contempt has been complied with by the concerned opposite parties, no further action is required to be taken against the opposite parties. Accordingly, this contempt application stands disposed of. However, the petitioner would be at liberty to approach the concerned opposite parties for his commutation of pension and remaining unpaid dues, if any, which shall be considered by the concerned opposite parties in accordance with law.

(Rajendra Kumar Mishra, J)

P.S./-

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