

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3694 of 2011

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Chanarik Baitha Son of Late Sukhlal Baitha resident of village/Mohalla
East Sipara, Kanhar Par, Post Delwan P.S. Beur Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal secretary Social Welfare Department, Govt. of Bihar, Patna
2. Sri Amitabh Verma, the Principal secretary Social Welfare Department, Govt. of Bihar, Patna
3. Sri Praveen Kishore, Director of ICDS, Indira Bhawan, Patna
4. Smt. Poonam Kumari the In charge Officer, Establishment Directorate of ICDS, Indira Bhawan Patna
5. Sri Prem Singh Meena The District Magistrate, Vaishali at Hajipur
6. Sri Balchandra Pathak the District Programme Office, CDPO, Vaishali at Hajipur
7. Smt. Sabham Danapuri, the CDPO, Chehrakala, Vaishali, Hajipur

.... Respondent/opposite parties (contemnor)

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar

For the Respondent/s : Mr. Ashok Kr Choudhry Sc13

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

14 12-08-2015

Heard counsel for the petitioner and the State.

The contempt application arises out of the order dated 14.07.2011 passed in CWJC No. 531 of 2011 whereby the order dated 16.03.2010 as contained in Annexure-1 to the writ application, insofar as it related to the petitioner, and the consequential order dated 30.06.2010 as contained in Annexure-2 to the writ petition were quashed and set aside. The matter was remitted to the respondent-Director I.C.D.S. for reconsideration in the light of the

observation of the Court. The petitioner was also granted liberty to file appropriate representation for consideration by the concerned respondent.

Learned counsel for the State has submitted that a supplementary show cause has been filed in this case on 07.05.2015 after service of a copy thereof on the counsel for the petitioner. A copy thereof has also been handed in by counsel for the State for perusal of the Court which is retained on the record. Along with the supplementary show cause filed on behalf of opposite party nos. 3 and 4 a copy of the order dated 16.04.2015 passed by the Director ICDS, Govt. of Bihar has been enclosed wherefrom it appears that in the light of the order passed by this Court the petitioner was allowed to continue in service until his attainment of 60 years of age. The CDPO, Chehrakala, Vaishali has also been directed to pay the salary etc. to the petitioner upto 30.06.2010 when the petitioner attained the age of superannuation. In the backdrop of the aforesaid statement, it has been submitted that the order passed on the writ petition has substantially been complied with and there is no willful defiance thereof.

The petitioner, however, referred to the rejoinder

filed to the show cause to point out that the petitioner may have some difficulty in getting the gratuity amount for the period for which he has been permitted to be treated in the government employment. In my view, the aforesaid grievance of the petitioner can very well be addressed/redressed by the appropriate authority on filing a fresh claim before the appropriate authority/forum for consideration and disposal in accordance with law.

The contempt application is disposed of.

(Kishore Kumar Mandal, J)

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