

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.31 of 2013

IN

Civil Writ Jurisdiction Case No. 15742 of 2011

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Aayushee Media Consultant through its Partner Manoj Kumar.

.... Petitioner.

Versus

1. The State of Bihar.
2. Sanjay Kumar, Executive Director, Bihar State AIDS Control Society, Seikhpura, Patna-14.
3. Sanjeev Kumar Sinha, Project Director, Bihar State AIDS Control Society, Seikhpura, Patna – 14.
4. Dr. Jayati Srivastava, Deputy Director, Training, Bihar State AIDS Control Society, Seikhpura, Patna – 14.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Sudhir Kumar, Advocate.
For the State : Mr. Ajoy Kumar Singh, AC to SC-II
For the Opp. Party Nos.2 to 4 : Mr. Sanjiv Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 13-02-2015

Heard the parties.

2. The present contempt application has been filed asserting the non compliance of the order dated 04.01.2012 passed in C.W.J.C. No.15742 of 2011, whereunder the said writ application was disposed of with a liberty to the petitioner to approach the Project Director, Bihar State AIDs Control Society, Seikhpura, Patna (respondent no.3/opposite party no.3) along with an application giving the details of his claims with respect to dues and interest. If such an application is filed by the petitioner within fifteen days from today



along with a copy of this order, the said authority shall consider the same in accordance with law and shall decide it by a speaking order within two months thereafter and if any amount or interest is found admitted and payable it should be paid to the petitioner immediately thereafter. However, if any mount or interest is not found admitted and payable in the said order, the petitioner will be at liberty to challenge the same before an appropriate forum.

3. Learned AC to SC-II, appearing for the State, submits that in the light of the order under contempt, the petitioner filed an application before the opposite party no.3 with documents and his application has been disposed of by the opposite party no.3 by an speaking order on 27.08.2014 rejecting the claim of the dues of the petitioner. As such, the order under contempt has been complied with, which would appear from Annexure-'G to the supplementary show cause filed on behalf of the opposite party no.3 on 03.09.2014.

4. Learned counsel for the petitioner submits that the opposite party no.3 has not considered the application of the petitioner regarding the payment of the dues of the petitioner properly in accordance with law.

5. Since the order under contempt has been complied with by the opposite party no.3 by disposing of the application of the petitioner, therefore, no action is required to be taken against the

opposite parties further as the liberty has already been given to the petitioner in the order under contempt to the effect that if any mount or interest is not found admitted and payable, the petitioner will be at liberty to challenge the same before an appropriate forum.

6. Accordingly, this contempt application stands disposed of.

(Rajendra Kumar Mishra, J)

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