

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.61 of 2014

In
Civil Writ Jurisdiction Case No. 519 of 2013

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Mohan Raut S/O Late Bathu Raut C/O Kapildeo Pd. Baidnath Mahto Marg,
House No. Jks/D-9, Old Jakkanpur, District- Patna, presently posted as
Gardener in the Office of District Horticulture Officer, Agriculture Building
Tilka Manjhi, Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Ashok Kumar Chauhan, the Principal Secretary, Department of
Agriculture, New Secretariat, Government of Bihar, Patna.
3. Sri Rajendra, the Administrator, Bihar State Agriculture Marketing Board
(Dissolved), Pant Bhawan, Bailey Road, Patna

.... Opposite Parties/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Opp.Parties/s : Mr. Amaresh Kumar Sinha, AC to GA 9

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 15-04-2015

Heard the parties.

2. The present application has been filed for initiation of a proceeding of contempt against the opposite parties with an allegation that the order dated 21.01.2013 passed in CWJC No. 519 of 2013 by this Bench has not been complied with by the opposite parties.

3. Apparently, the writ petition filed on behalf of the petitioner was disposed of by this Bench by order dated 21.01.2013 with a liberty to the petitioner to file an exhaustive representations separately before respondent nos. 2 and 3 with all supporting documents which were directed to be disposed of by a reasoned and speaking order.

4. In the present application, in the light of the order dated 14.01.2015, a show cause, a supplementary show cause, 2nd supplementary show cause and 3rd supplementary show cause have been filed on behalf of opposite party nos. 2 and 3. Learned

counsel appearing on behalf of the opposite parties points out that in the light of the observations given by this Court, the petitioner filed comprehensive representation vide annexures- 2 and 3 raising the claim for payment of Rs.93,334.35 which is evident from his representation at Annexure-3. It is further pointed out that in view of the aforesaid demand, the claim of the petitioner was calculated and he was held entitled to receive Rs.1,96,072.00, detailed of the entitlement of the petitioner has been indicated in the reasoned order dated 24.03.2015 (Annexure-E to the 2nd supplementary show cause). However, learned State counsel fairly conceded that against the aforesaid total entitlement, all the amounts were transferred to the account of the petitioner, but Rs.4100/- only could not be transferred for certain valid reasons.

5. Today, when the matter has been taken up for consideration, a fresh cheque i.e. Cheque No. 984989 dated 11.04.2015 of Rs.4100/- in the name of the petitioner has been produced in Court by the learned State counsel and just to explain non-payment of Rs.4100/- earlier, 3rd supplementary show cause has been filed today, which is taken on the record. The cheque produced by the learned State counsel has been handed over to the learned counsel appearing on behalf of the petitioner in open court.

6. In view of the aforesaid facts and circumstances, this Court is satisfied that the order dated 21.01.2013 passed in CWJC No. 519 of 2013 by this Court has been fully complied with and no case of contempt is made out. The present MJC application is, accordingly, dismissed.

(Birendra Prasad Verma, J)

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