

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.837 of 2014

IN

Civil Writ Jurisdiction Case No. 12561 of 2006

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Raj Grih Ram, son of Late Sri Krishna Ram, resident of village and Post-Morsaray,
P.S. Sheosagar, District Rohtas (Sasaram).

.... Petitioner.

Versus

1. The State of Bihar.
2. Dr. S. Sidharth, father's name not known, the Principal Secretary, (Director-cum- Joint Secretary), Urban Development Department, Bihar, Patna.
3. Sri Sandeep Kumar Kuttepati, father's name not known, Collector, Rohtas at Sasaram.
4. Sri Prahlad Lal, father's name not known, Executive Officer, Nagar Parishad, Rohtas (Sasaram).
5. Smt. Nazia Begum, husband's name not known, Chairman (Chief Collector), Nagar Parishad, Rohtas at Sasaram.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Surendra Kumar Choubey, Advocate.
For the State : Mrs. Shalini Raut, AC to G.A.1.
For the Nagar Parishad ,: Mr. Vijay Shankar Upadhaya, Advocate.
Sasaram

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 23-02-2015

The present contempt application has been filed asserting the non compliance of the order dated 26.03.2012 passed in C.W.J.C. No.12561 of 2006, whereunder the aforesaid writ application was disposed of quashing the impugned Resolution of Sasaram Nagar Parishad dated 10.11.2005 with a direction to the Sasaram Nagar Parishad to reconsider the matter of grant of promotion and its consequential benefits to the petitioner afresh in accordance with law

as well as in accordance with the aforesaid findings of the court within two months from the date of receipt/production of a copy of this order. The petitioner must approach the said authority along with a copy of this order within one month from today.

2. Learned counsel appearing on behalf of Nagar Parishad, Sasaram, in presence of the learned counsel for the petitioner and the learned AC to GA-1, appearing on behalf of the State, submits that in compliance of the order dated 26.03.2012 passed in C.W.J.C. No.12561 of 2006, which is under contempt, the representation of the petitioner was considered by the Nagar Parishad, Sasaram vide resolution dated 08.11.2012 as item no.5, whereunder the decision was taken to promote to the petitioner and the petitioner was promoted. Accordingly, the pay-scale of the petitioner was revised in matriculation scale. On that basis the salary has been paid to him since 28.06.2002, and his pension has also been fixed on that basis which would appear from paragraphs-5 and 6 to the show cause filed on behalf of the Executive Officer, Nagar Parishad, Sasaram, Rohtas (Sasaram) {opposite party no.4}.

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 concerned opposite Party(s). Accordingly, this application stands disposed of. However, if the petitioner has any

grievance, he may take recourse in accordance with law.

(Rajendra Kumar Mishra, J)

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