

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1410 of 2013

IN

Civil Writ Jurisdiction Case No. 13087 of 2012

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Manoj Kumar Verma, son of Late Sakaldeo Prasad, resident of Kothi Block, Road No. 1, Bari Bazar Dumra, P.S. Sitamarhi, District – Sitamarhi.

.... Petitioner.

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Dr. Pratima, wife / daughter of not known to the petitioner, presently posted as the District Magistrate - Cum - District Election Officer, Sitamarhi, District – Sitamarhi.

.... Contemnors-Opposite Parties.

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Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate.

For the State : Ms. Divya Verma, AC to AAG-III.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 20-02-2015

The present contempt application has been filed on behalf of the petitioner asserting the non compliance of the order dated 02.08.2012 passed in C.W.J.C. No.13087 of 2012, which was disposed of with a direction to the concerned respondent, responsible for payment of the amount of bills of the petitioner, to examine his/its bills in the light of the work done by him/it and ensure release of admissible amount of the bills to the petitioner positively within three months from the date of receipt/production of a copy of this order, if necessary, by arranging fund for the same, failing which, the said respondent shall be liable to pay an interest on the amount, at the rate of 12% compoundable yearly, from his own pocket. In case, the said respondent finds that the amount of the bill or any part thereof is not payable to the

petitioner, he shall communicate the same to the petitioner in specific terms, assigning reasons thereof, within that very period. In that event, petitioner shall be at liberty to seek his remedy in accordance with law before an appropriate forum and claim adjudication in respect of his entitlement of the said amount with interest.

2. Ms. Divya Verma, learned AC to AAG-III, appearing on behalf of the State, submits that in compliance of the order dated 02.08.2012 passed in C.W.J.C. No.13087 of 2012, which is under contempt, the District Election Officer demanded the allotment, vide letter no.384/Ele dated 27.09.2012 and letter no.342/Ele dated 09.03.2013 for pending payments. The Election Department by its letter no.102/Aa dated 20.03.2013 made the allotment. Accordingly, the District Election Office paid net payable amount of Rs.3,09,731/- by Bankers Cheque No.603793 dated 31.03.2013 which was received by the petitioner on 05.04.2013, which would appear from paragraph-5 to the show cause filed on behalf of the opposite party no.2. As such, the order under contempt has been complied with..

3. Since the order under contempt has been complied with by the concerned opposite party(s), no further action is required to be taken against the concerned opposite party(s). Accordingly, this contempt application stands disposed of.

(Rajendra Kumar Mishra, J)

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