

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.934 of 2007

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Sukhdeo Rai, S/o Late Munna Rai, resident of village- Mohaddipur, Police Station- Biddupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through Sri A.K. Choudhary, the Chief Secretary, Government of Bihar, Patna.
2. Sri V. Jai Shankara, the then Secretary cum Commissioner.
3. Sri Ashok Kumar Sinha, the present Secretary cum Commissioner, Deptt. of Water Resources (Irrigation), Govt. of Bihar, Patna.
4. Sri Bhagwan Das, the then Managing Director cum Chief Engineer.
5. Sri Ram Kuamr Singh, the present Managing Director cum Chief Engineer, Bihar State Construction Corporatin Ltd., Chief Engineer Office, Anisabad, Patna.
6. Sri Madhu Kant Jha, Account Officer in the office of Managing Director cum Chief Engineer Office, Room No. 207, Anisabad, Patna.
7. Sri R.K. Jain, presently, functioning in the Banka Unit, Deoghar, Bihar State Construction Corporation Ltd., Patna in the office of the Chief Engineer Room No. 207, Anishabad, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. RAJEEV RANJAN
Mr. A.K.Mallick

For the Respondent/s : Mr. (AAG-9)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT

Date: 06-04-2015

Heard learned counsel for the petitioner and learned
counsel for the Bihar State Construction Corporation Limited,
Patna.

The present contempt application has been filed for
noncompliance of the order dated 09.12.2002 passed in C.W.J.C.
No. 3171 of 2002 and other analogous cases, annexure 1 to the
contempt application.

Learned counsel for the respondent no. 5, Bihar State
Construction Corporation Limited, submits that at present the

Bihar State Construction Corporation Limited is suffering from acute financial crisis and not in a position to pay even salary of the employees of the Corporation regularly and Corporation has filed Company Petition No. 6 of 2014 before this Court for winding up of the Corporation, which is pending for adjudication. As such, the petitioner may raise his grievance in the said case.

On perusal of the order of the writ Court, it appears that observation has been made if the Corporation is unable to pay the admitted dues within the stipulated period of four months and if it is not able to make itself viable, then the State government and the authorities of the Corporation must complete all the formalities and initiate winding up proceeding in accordance with law.

Since the Corporation has already filed Company Petition No. 6 of 2014 before this Court for winding up of the corporation, therefore, petitioner has liberty to raise his grievance in the said case. Accordingly, this contempt application is disposed of.

(Rajendra Kumar Mishra, J)

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