

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1152 of 2008

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Ugra Nath Jha son of late Sri Kant Jha Biscomaun Employee, resident of village-Babubarhi, District-Madhubani present address-resident of Mohalla-Bangali Tola, PO and PS-Laheria Sarai, District-Darbhanga.

.... Petitioner/s

Versus

1. Administrator Biscomaun (Sri Ashok Kr. Jha), Patna -cum-Managing Director, Biscomaun.
2. The Special Officer (Sri D. Kumar), Administration, Biscomaun, Patna.
3. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratan Kumar Kumar

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 25-08-2015

Heard learned counsel for the petitioner, counsel for the

State and counsel for the Managing Director of Biscomaun.

As per the direction of this Court, the opposite parties have paid 60% of salary for the period 22nd January 1992 to 18th March 2008.

As per the calculation of the opposite parties, amount comes to Rs.2,85,230/- accordingly a cheque of Indian Bank, vide Cheque No. 173674 dated 13th August 2015, has been produced and the same has been handed over to the counsel of the petitioner, namely, Mr. Ratan Kumar Kumar in the Court. Photo copy of cheque attached with the forwarding letter be kept on record for future reference. The forwarding letter does not disclose the manner of 60% salary has been computed which is the grievance of the petitioner.

This Court directs the Managing Director, Biscomaun to

provide break up and details of the calculation within a period of three weeks. If the petitioner would not be satisfied with the break up and calculation, the petitioner will have liberty to point out discrepancies in the calculation and the Managing Director will be obliged to look into the matter and if it is found that the petitioner is still entitled to more amount, the same should be paid within three weeks thereafter. In failure to comply the aforesaid direction, the petitioner will have liberty to file an application in the present application for revival of the same.

The counsel for the petitioner submits that arrears of salary has been given to him after a long delay, i.e. about eight years, so he must be given the benefit of interest.

This Court is not exercising the writ jurisdiction in a contempt application cannot pass an order for payment of interest.

With the above observations/directions, this application is disposed of.

(Shivaji Pandey, J)

Mahesh/-

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