

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.15 of 2013

IN

Civil Writ Jurisdiction Case No. 3725 of 2009

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Lakshmi Kant Pandey, son of Late Nandkishore Pandey, resident of Rajiv Nagar,
Road No.23, P.O. Keshri Nagar, P.S. Rajiv Nagar, Town and District-Patna.

.... Petitioner-Petitioner.

Versus

1. The State of Bihar through Naveen Verma, Principal Secretary, Department of Industries-cum-Chairman, Bihar State Credit and Investment Corporation Limited (BICICO), Government of Bihar, Secretariat, Patna.
2. Ashok Kumar Mallik, Managing Director, Bihar State Credit and Investment Corporation Limited (BICICO), 4th Floor, Indira Bhawan, Ram Charitra Singh Path, P.O. G.P.O., P.S. Srikrishnapuri, Town and District-Patna.
3. Mr. B.R. Mandal, Manager Administration, Bihar State Credit and Investment Corporation Limited (BICICO), 4th Floor, Indira Bhawan, Ram Charitra Singh Path, P.O. G.P.O., P.S. Srikrishnapuri, Town and District-Patna.

.... Respondents-Opposite Parties.

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Appearance :

For the Petitioner : Mr. Manish Jha, Advocate.

For the State : Mr. Neelam Prasad, AC to GP-25

For Opposite Party Nos.2 & 3 : Mr. Mayank Shekhar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 26-02-2015

The reply on behalf of the petitioner to the supplementary
show cause filed on behalf of the opposite party nos.2 and 3 is filed.

The same is taken on record.

2. The present contempt application has been filed for non
compliance of the order dated 17.07.2012 passed in C.W.J.C.
No.3725 of 2009, whereunder the said writ application of the
petitioner was allowed quashing the resolution of the Board of
Directors in its meeting dated 10.09.2008 communicated vide letter
dated 17.10.2008(Annexure-4/A) and the respondents authorities were

directed to pay the salary and allowances of the petitioner for the period concerned, i.e., 22.12.2004 to 26.07.2007, which had been illegally withheld by the authorities, within two months from the date of receipt/production of a copy of this order.

3. Learned counsel appearing on behalf of the opposite party nos.2 and 3, the officials of the Bihar State Credit and Investment Corporation Limited, submits that the order dated 17.07.2012 passed in C.W.J.C. No.3725 of 2009, which is under contempt, has been complied with by the concerned opposite parties by handing over the cheque of Rs.5,53,903/- to the petitioner, which would appear from paragraph-7 to the supplementary show cause dated 18.02.2015 filed on behalf of the opposite party nos.2 and 3 and Annexure-‘B’ thereof.

4. Learned counsel appearing on behalf of the petitioner by filing reply on behalf of the petitioner to the supplementary show cause filed on behalf of the opposite party nos.2 and 3 while admitted that the payment of the salary amounting to Rs.5,53,903/- was made to the petitioner but stated that the petitioner was entitled for the payment under the 5th pay revision with effect from 01.04.2006 but the same has not been considered by the concerned opposite party(s).

5. Since the order under contempt has been complied with by the concerned opposite party(s), no further action is required to be

taken by the concerned opposite party(s). Accordingly, this contempt application stands disposed of. However, if the petitioner has any grievance, he may take recourse for the redressal of his grievance before the appropriate forum.

(Rajendra Kumar Mishra, J)

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