

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3284 of 2015

In

Civil Writ Jurisdiction Case No. 9617 of 2014

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Ashwini Kumar (Contractor) S/o Sri Shiv Shankar Prasad Singh, Resident of Mohalla Purani Bijali Colony, P.O. + Police Station and District Jehanabad.

.... Petitioner

Versus

1. The Union of India through Mr. A.K. Mittal, the General Manager, East Central Railway, Hajipur.
2. Mr. Jagdish Rai, Principal Chief Engineer, East Central Railway, Hajipur.
3. Mr. Ramesh Kumar Jha, The Divisional Railway Manager, East Central Railway, Danapur.
4. Mr. D.S. Srivastava, The Senior Divisional Engineer (I), East Central Railway, Danapur.
5. Mr. Sanjay Kumar Singh, The Senior DEN-III, D.N.R. East Central Railway, Danapur.
6. Mr. Sardar Bhagat Singh, A.D.E.N. / LINE / PATNA Jn. East Central Railway, Patna.
7. Mr. Devendra Pratap Singh, The Senior Section Engineer, East Central Railway, Jehanabad.
8. Mr. Ajay Bhardwaj, the then In-charge of S.S.E.(W) J.H.D. at present as J.E. (W) MHX Under S.S.E. (W) Patna Junction (E.C. Railway).
9. Mr. Devendra Pratap Singh, Sr. S.S.E. (W) JHD, E.C. Railway, Jehanabad Station.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ratanakar Jha, Advocate
For Opposite Parties : Mr. Anil Kumar Sinha,
Mr. Abhimanyu Deo
Mr. Ankit Katriar, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 16-03-2016 Heard learned counsel for the petitioner and learned counsel for the opposite parties.

2. The present petition has been filed for initiation of a contempt proceeding against the contemnor/opposite parties for willfully and deliberately not complying with the order dated 10.09.2015 passed in CWJC No. 9617 of 2014.

3. Learned counsel for the petitioner submits that though the work was completed with regard to the repair and maintenance etc. in terms of the work order, payments have not been made by the opposite parties for the same.

4. A perusal of the reasoned order dated 22.02.2016 passed by the Respondent-Railway (Annexure-R/1 to the show cause) discloses the reasons for rejecting a part of the claim of the petitioner. It has further been stated therein that a total bill amount of Rs. 1,61,216/- for the work done by the petitioner has been prepared but payment was being delayed for want of the petitioner's signature.

5. In view of the aforesaid reasoned order, this Court is not satisfied that the petitioner has failed to make out a case of willful disobedience on the part of the opposite parties. The contempt petition stands disposed.

(Vikash Jain, J)

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