

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.806 of 2016**

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1. Madan Roy s/o Late Jagdeo Roy Resident of village Murarpur, P.S. - Janta Bazar, Dist - Saran at Chapra.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, State of Bihar, Old Secretariat, Patna, namely Sri Amir Subhani s/o not known

2. Sri Vikas Vaibhav s/o not known the Senior Superintendent of Police, Darbhanga, Dist - Darbhanga.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Mahendra Thakur, Adv  
For the Respondent/s : Mr. GA1 S.K. SHARMA

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**CORAM: HONOURABLE MR. JUSTICE V. NATH**

**ORAL JUDGMENT**

**Date: 07-12-2016**

Heard learned counsel for the petitioner and learned counsel for the State-respondents.

The State-respondents have also filed a show cause.

The present application has been filed praying for initiating proceeding of contempt against the respondents for violation of the direction as contained in the order dated 18.06.2014 passed in CWJC No. 13728 of 2012(Annexure-1). By the said order



this Court while quashing the order dated 02.05.2012 (Annexure-12) to the writ application had directed the respondents to pay 50 per cent of the basic salary to the petitioner from the date of the order of his dismissal upto 17.07.2008 within three months from the date of receipt/production of this order. On behalf of the respondents the order dated 12.11.2014 has been annexed as Annexure-A to the show cause which shows that the direction was issued to pay 50 per cent of the basic salary of Rs. 1030/- to the petitioner. The petitioner has not disputed the said fact. However, the petitioner has come before this Court with the contention that his basic salary was not Rs. 1030/- and therefore, the respondents have violated the directions contained in the order dated 18.06.2014.

After considering the submissions and perusal of the materials on record, this Court does not find any material to come to the conclusion that the direction given by this Court has been violated by the respondents and a case for initiating the proceeding of contempt has been made out by the petitioner.

The contempt petition is, accordingly, dismissed.

At this juncture, learned counsel for the petitioner has prayed for liberty to the petitioner to seek redressal of his grievance in accordance with law.

It goes without saying that this Court has not expressed



any opinion on the claim of the petitioner and his right to avail the legal remedy available to him in accordance with law.

**(V. Nath, J)**

Ranjan/-  

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