

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.383 of 2013

In

Civil Writ Jurisdiction Case No. 7284 of 2011

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Dinesh Prasad Singh, son of Late Kamaldeo Singh, at present working as
Peon, Patori (Mohiddinagar) Branch, Bihar State Land Development Bank,
Samastipur

.... Petitioner

Versus

1. The State of Bihar
2. Vijay Kumar Singh, Chairman, Bihar State Land Development Bank,
Patna
3. Raghwendra Pal Singh, Managing Director, Bihar State Land
Development Bank, Patna
4. Majjid Alam, the Director (Administration), Bihar State Land
Development Bank, Patna

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Advocate
For the O.P. 2-4 : Mr. Rajesh Prasad Choudhary, Advocate
For the State : Mr. J.P.Karn, AAG-4 with Mr. L.P.K.
Rajgrihar, AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

5 24-02-2016 The opposite party Nos. 3 and 4 are present in Court.

I.A.No. 1740 of 2016 has been filed on behalf of opposite
party No.2 in which prayer for exemption of personal appearance
for the day has been made on account of certain family functions
outside Patna with the prayer that the said opposite party would
appear on any other date as may be fixed by this Court.

On a consideration of the facts and circumstances
mentioned in the application, the opposite party No.2 is exempted
from personal appearance today.

Heard learned counsel for the petitioner and learned

counsel for the opposite parties, officials of the Bihar State Land Development Bank.

The petitioner is aggrieved by the non-compliance of the order dated 5.5.2011 passed by this Court in CWJC No. 7284 of 2011.

This Court by the said order directed that the petitioner may approach the authorities of the respondent-Bank with respect to his prayer for salary, who shall consider and dispose of his claim by a speaking order within a period of two months from the date of receipt/production of a copy of that order.

In the show cause filed on behalf of the opposite parties it is stated that the order under contempt was complied with within time by passing a reasoned order dated 5.7.2011 in which while accepting the claim of the petitioner with respect to his arrear of salary it is stated that payment shall be made upon receipt of the funds. Learned counsel for the opposite parties further submits that a Scheme was framed for clearing the due salary and retiral benefits of the employees and ex-employees by the Land Development Bank in which the said dues had to be cleared as per funds available for the different employees in a particular manner and the arrears of salary payment fell in the last category. It is submitted that payments have been made by the Bank from time to

time in terms of the said Scheme, which has been approved by two Division Benches of this Court.

On a consideration of the facts and circumstances of the case, it is evident that there has been no non-compliance of the order dated 5.5.2011 passed by this Court in CWJC No. 7284 of 2011. The contempt proceedings against opposite party Nos. 2 to 4, officials of the Bihar State Land Development Bank are, accordingly, dropped.

The contempt application is dismissed.

(Ramesh Kumar Datta, J)

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