

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.274 of 2011

IN

Miscellaneous Jurisdiction Case No. 421 of 2008

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The Municipal Commissioner cum Chief Executive Officer, Gaya Municipal Corporation , Gaya

.... Appellant/s

Versus

1. Ramesh Prasad, S/O Late Bindeshwari Prasad, Resident of Mohalla - Maranpur, Hanuman Nagar, Shivlok , Police Station-Civil Lines, District - Gaya
2. The State of Bihar, through the Secretary Urban Development Deptt., Govt. of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rabindra Kumar Priyadarshi, Advocate

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 18-10-2016

Heard learned counsel for the Corporation and perused the records.

This intra-court appeal is from an interim order passed in the contempt proceedings whereby the learned Single Judge directed that for the period the petitioner (Respondent No. 1 herein) had worked and work had been taken from him he has to be paid notwithstanding the fact that he would be deemed to have superannuated from an earlier date. The period involved is only about three months.

In view of the facts aforesaid, we are not inclined to interfere as having taken work petitioner- Respondent No. 1 cannot be denied payment for the work done.

This appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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