

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3103 of 2008

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Suryadeo Prasad Tewary, son of late Baldeo Tewary, at 203 Sarya Apartment, Budha Colony, Patna. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
 2. Shri Shubakirti Majumdar, Principal Secretary-cum-Commissioner, Commercial Taxes, Bihar, Patna.
 3. Shri Navin Kumar, Commissioner-cum-Finance Secretary, Bihar, Patna. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar Sinha, Advocate

For the Respondent/s : Mr. (Sc3)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

12 30-08-2017

During the pendency of the matter before this Court, it transpires that Civil Appeal No. 7029 of 2009 was filed by the State Government before the Hon'ble Supreme Court challenging the order dated 19.05.2008 passed by this Court in C.W.J.C. No. 12518 of 1992. The Hon'ble Supreme Court has dismissed the Civil Appeal filed by the State Government and it has been directed that the amount lying in deposit in the Registry of this Court shall be immediately disbursed to the Respondent No.1, along with the accrued interest. Now the State Government is required to implement the remaining part of the order passed in C.W.J.C. No. 12518 of 1992 after dismissal of the Civil Appeal by the Hon'ble Supreme Court and we are informed that the petitioner has already submitted a representation on 02.08.2017



making a detailed claim for implementation of the order.

That being so, without proceeding to initiate action for contempt now in the light of the changed circumstance, the respondents are directed to take note of the representation of the petitioner dated 02.08.2017 and take a decision for implementing the order passed by the Writ Court on 19.05.2008 passed in C.W.J.C. No. 12518 of 1992 within a period of 60 days from the date of receipt of certified copy of this order. Needless to say that if still the petitioner has any grievance, he shall be at liberty to approach the appropriate forum or the Court in accordance with law.

On the petitioner making additional grounds in the representation, the respondents may demand calculation chart and other documents from the department and the department shall ensure providing the same in accordance with law.

With the aforesaid liberty, the application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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