

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.465 of 2017

In
Civil Writ Jurisdiction Case No. 6392 of 2016

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Rama Prasad Sharma, S/o Late Asharfi Chaudhari, R/o Village- Kutubpur
Dumar, P.O. Minapur Rae, P.S.- Hajipur Sadar, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Respondent/s : Mr. Aag15 Ashutosh Ranjan Pandey

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

8 18-10-2017 This application has been filed by the petitioner for initiation of contempt as well as award of suitable punishment to the opposite parties for their willful disobedience of the order dated 16.12.2016 passed in C.W.J.C. No. 6392 of 2016.

By the said order dated 16.12.2016 the respondents were directed to pay the petitioner all his post retrial benefits within two months failing which it was directed that the payable amount would earn interest at the rate of 8% per annum from the date it became due till the date of its actual payment.

A show cause has been filed on behalf of the opposite parties in which it has been stated that in compliance with the order passed by this Court all the retrial benefits of the petitioner have been paid as follows :-



- (i) GPF – Rs. 11,86,725.00 paid on 13.04.2015.
- (ii) Group Insurance – Rs. 1,92,658.00 paid on 25.01.2015.
- (iii) Leave Encashment – Rs. 5,76,910.00 paid on 29.04.2017.
- (iv) Differential amount of enhanced D.A. – Rs.16,720.00 paid on 29.04.2017.
- (v) Gratuity – Rs. 9,79,490.00 paid on 04.05.2017.
- (vi) Commutation of pension- Rs. 5,48,080.00 paid on 04.05.2017, and
- (vii) Pension – fixed @ Rs. 13,935.00 per month vide PPO No. 201711051684P.

It is further stated in the show cause filed on behalf of the opposite parties that the interest at the rate of 8% per annum from the date it became due till the date of actual payment was calculated upto 30.09.2017 and an amount of Rs. 3,29,827.00 has already been credited in the account of the petitioner, which would be evident from the statement of account of the ;petitioner provided by the Allahabad Bank, Arara Branch, Vaishali, as contained in Annexure-A series to the show cause.

Considering the statements made in the show cause filed on behalf of the opposite parties, this Court is of the opinion



that as the order passed by this Court has duly been complied with,
no case for initiation of contempt proceeding is made out.

The application is disposed of.

(Ashwani Kumar Singh, J)

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