

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.356 of 2017

In

Civil Writ Jurisdiction Case No. 226 of 2015

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Nawal Kishore Singh, Son of Late Saryug Singh, resident of Village-
Fatehpur, P.O.- Rajla, P.S.- Kurhani, Town & District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Land Reforms Department, Government of Bihar, Old Secretariat, Patna.
2. Sri K.K. Pathak, father's name not known to the petitioner, the Principal Secretary, Land Reforms Department, Government of Bihar, Old Secretariat, Patna.
3. Sri Atul Prasad, father's name not known to the petitioner, the Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. Sri Dharmendra Singh, father's name not known to the petitioner, the District Magistrate, Muzaffarpur.
5. Dr. Rangnath Choudhary, father's name not known to the petitioner, the Additional Collector, Muzaffarpur.
6. Sri Md. Kabir, father's name not known to the petitioner, the Deputy Collector (Establishment), Muzaffarpur.
7. Sri Kumar Prashant, father's name not known to the petitioner, the Deputy Collector Land Reforms, West Muzaffarpur.
8. Sri Sanjay Kumar Gangwal, father's name not known to the petitioner, the Enquiry Officer-cum-District Planning Officer, Muzaffarpur.
9. Sushree Ranjeeta, father's name not known to the petitioner, the Sub Divisional Officer, West Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhruba Mukherjee, Sr. Adv. with
Mr. Md. Nazir Ansari, Adv.

For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 18-10-2017 Heard Mr. Dhruba Mukherjee, learned senior counsel

appearing for the petitioner and Mr. Fakhruddin Ali Ahmad, learned

Assisting Counsel to Additional Advocate General No.12 for the

State.

A supplementary show cause is being filed enclosing an

order bearing Memo No.1065 dated 7.10.2016 of the District

Magistrate, Muzaffarpur reporting compliance of the order passed by



this Court on the writ petition so preferred by the petitioner.

Although the order so passed by the District Magistrate, Muzaffarpur does not satisfy the petitioner and according to Mr. Mukherjee, learned senior counsel appearing for the petitioner, it does not answer the other increments withheld as well as the order restricting the pay and allowances to the subsistence allowance but in my opinion in the nature of the order so passed on the writ petition requiring the respondents to release the increments withheld as well as to consider the claim of the petitioner for payment of pay and allowances for the suspension period the decision so taken by the District Magistrate, Muzaffarpur on the two issues even if not satisfying the petitioner, the same would require a challenge in a proper proceeding but in the circumstances discussed no case for contempt is made out.

The contempt application is accordingly disposed of with liberty to the petitioner, if so advised, to question order so passed by the District Magistrate, Muzaffarpur in a proper proceeding before an appropriate forum.

(Jyoti Saran, J)

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