

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2844 of 2016

In

Civil Writ Jurisdiction Case No. 16227 of 2014

=====

1. Dr. Lal Babu Sinha, S/o- Late Ram Lagan Prasad Singh, R/o- B-76, P.C. Colony, Kankarbagh, Patna- 800020.

.... Petitioner/s

Versus

1. The State of Bihar through R. K. Mahajan Principal Secretary, Health Department
2. Sri Ravindra Yadav, Under Secretary, In Charge of Joint Secretary of Health Department, Bihar
3. Anand Prasad Singh, the Superintendent of Naland Medical College, Patna, Bihar
4. Sri S. Suresh Kumar, Accountant General, Patna, Bihar.
5. Sri Sanjay Kumar Prasad, the District Provident Fund Officer, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Adv.

For the Respondent/s : Mr. Vivek Prasad, G.P.7

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 12-04-2017 Heard Mr. Deovind Kumar Singh, learned counsel for the petitioner, Mr. S.K. Saraf, A.C. to G.P.2 for the State and Mr. Kumar Priya Ranjan, learned counsel for the Provident Fund.

The writ petition filed by the petitioner bearing C.W.J.C.No.16227 of 2014 was with regard to payment of the post retiral benefits of the petitioner as well as some in service benefits. This Court after hearing the parties, disposed of the writ petition vide order passed on 5.2.2016 with a direction to the respondent authorities of the Health Department and the Nalanda Medical College and Hospital as well as the Accountant General to take



steps for making payment of the balance dues of the petitioner and in case any of them was found not admissible, be disposed of by speaking order. Complaining non-compliance that the present contempt application has been filed and when a show cause is filed on behalf of the State which contains statement regarding payment of the admissible dues to the petitioner.

There is no rejoinder to the show cause. Although it was served on learned counsel for the petitioner on 7.3.2017.

Mr. Deovind Kumar Singh learned counsel for the petitioner while admitting to the payment of the major portion of the retiral dues submits that some portion of the provident fund yet remains pending with the District Provident Fund Officer. He also complains against the rejection of his claim for salary for the period 9.1.2003 to 10.10.2006.

In so far as the issue of Provident Fund is concerned, it is stated at paragraph 7(ii) that necessary orders for final withdrawal has been issued. In case the petitioner is not satisfied with the direction present at Annexure-B to the show cause he may raise his grievance before the authority concerned with supportive documents. In so far as the claim for salary is concerned, the matter is dealt at paragraph 11 of the show cause in which it is stated that the claim has been rejected vide order passed on



29.11.2016, a copy of which is enclosed at Annexure-F to the show cause. The petitioner if not satisfied, would be at liberty to question the order of rejection dated 29.11.2016 before the appropriate forum by filing an appropriate application.

With the observation aforementioned, this contempt application is disposed of.

(Jyoti Saran, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.05.2017
Transmission Date	NA

