

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2790 of 2014

In
Civil Writ Jurisdiction Case No. 4145 of 2012

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Rajendra Prasad, Son of Karu Prasad, R/o Village- Kanalbigha, P.O. Bilari, P.S. Katrisarai, District-Nalanda, presently resides in Mohalla-Patel Nagar, Near Azad Lodge, P.S.-Nawadah, District-Nawadah, at present posted as Accounts Clerk, Building Division, Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar through Chanchal Kumar, the Secretary, Building Construction and Housing Department, Bihar, Patna
2. Ramesh Kumar, the Chief Engineer, Dakshin Bihar Upbhag, Building Construction Department, Bihar, Patna
3. Sunil Kumar, the Superintending Engineer, Building Construction and Housing Department, Gaya Building Circle, Gaya
4. Vikrama Prasad, the Executive Engineer, Building Construction Department, Building Division, Gaya
5. Pramod Kumar Kamath, the Executive Engineer, Building Division Aurangabad
6. Ram Pravesh Prasad, the Executive Engineer, Building Division, Arwal District-Arwal
7. Birja Singh, the Sub Divisional Officer, Building Sub Division No.1, Gaya

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Anil Kumar Sinha, Advocate
For the State : Mr. Rewti Kant Raman, A.C. to S.C.-11

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 16-05-2017 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The present contempt application has been filed for initiating contempt proceedings against the concerned opposite parties alleging non-compliance of the order dated 03.05.2012 passed in CWJC No.4145 of 2012 (Annexure 1).

The opposite parties have filed a show cause in which



they have stated that the petitioner had earlier come to this Court in CWJC No.13536 of 2016, which was disposed of on 14.02.2017. In the said order, liberty was given to the petitioner to file a separate writ petition for payment of pre-retiral dues, which include his salary for certain months as well as for the period during which he was under orders of dismissal.

From the show cause filed by the State, it appears that the period of dismissal has been treated as leave without pay. As such, no further case of contempt is made out. The contempt application, thus, stands disposed of.

In view of the liberty granted to the petitioner in CWJC No.13536 of 2016, it shall be open to the petitioner, if so advised, to seek appropriate remedy, in accordance with law.

(Anjana Mishra, J)

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