

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2896 of 1996

Kashi Nath Prasad, son of Late Sajiwan Prasad, resident of Village Madai
Police Station Charpokhari Post Office Haludpur, Distt. Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Education Commissioner, Government of Bihar, Patna
2. Mr. Kumar Gauri Shankar Pd. Sinha, The Director, Primary Education, Bihar, Patna
3. Mr. Rajender Prasad, The District Superintendent of Education, Bhojpur at Arrah.
4. Arun Kumar Singh, The Accountant General, Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-09-2017

Inter alia contending that an order passed on 06.09.1996 in C.W.J.C. No. 7333 of 1995 has not been complied with, retiral claims of the petitioner have not been settled, this application has been filed.

From perusal of the order passed on 06.09.1996, we find that the petition is held as not maintainable and it is stated that if wrong statement has been made by the respondent in a contempt petition, it is open to the petitioner to bring the same to the notice of the Court in a contempt proceedings.

It seems that after orders were passed in the writ



petition earlier filed i.e. C.W.J.C. No. 6044 of 1993 and C.W.J.C. No. 6044 of 1990, when the petitioner's claim for pension was not settled, he filed the contempt application and in the contempt application it is the case of the petitioner that the respondents made wrong statement.

Now, after a period of more than 21 years on such consideration we are not inclined to initiate any action for contempt, particularly when even notices have not been issued and the officers who were responsible are not available. That being so, in this contempt application we see no reason to make any indulgence. In case the petitioner has any grievance still subsisting, he shall have liberty to take recourse to the remedy available under law for redressal of the grievance.

With the aforesaid, the application stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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