

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3002 of 2010

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Shyam Nandan Prasad Sinha, son of late Chhote Narayan, resident of Narayan Bhawan, Par Nawada, District-Nawada, at present resident of Kidwaipuri, C/o Sri B. K. Sahay, 44, Adarsh Colony, Patna.

.... Petitioner/s

Versus

1. Sri K.R. Kamath, Chairman & Managing Director, Punjab National Bank, Head Office-7, Bhikhaji Cama Palace, Afrila Revenue, Delhi-1100066.
2. Sri Sanjiv Sharan, H.R.D. Department, Circle Office, Punjab National Bank, Gaya 400, A.P. Colony, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nageshwar Prasad Sinha, Advocate

For the Respondent/s : None

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 22-05-2017

Inter alia contending that an order passed on 26.08.2009 passed by this Court in CWJC No.7619 of 2005 has not been complied with, this contempt application was filed in the year 2010 and it is the contention of the petitioner that monetary benefit accruing to the petitioner by virtue of the order passed in the writ petition has not been paid.

Respondents have filed a show cause which goes to show that the provident fund dues of the petitioner to the tune of Rs.31,516.13 with interest was paid to the petitioner after the order was passed on 26.08.2009 in spite of the fact that a Letters Patent Appeal being Letters Patent Appeal no.1286 of 2009 was filed and it is further stated that in case, the petitioner has any dispute now with regard to payment of



provident fund dues, the same has to be settled by the Punjab National Bank Employees Provident Fund Trust. It is stated that the entire claim of the petitioner has been settled.

Even though, a show cause has been filed in the year 2010, there is no rebuttal to the same and the matter is kept pending now for more than seven years.

Keeping in view the aforesaid circumstances, for the present, it is not appropriate to proceed with the contempt proceedings. In case, after the settlement made by the respondents, as is detailed in the show cause filed, the petitioner has any claim still subsisting, he may raise the same either before the competent authority or the Bank or the Provident Fund authorities and the same shall be settled within a period of 45 days of its submission and thereafter, in case, the petitioner has any grievance still subsisting, liberty shall be available to the petitioner to take recourse to such remedy as may be permissible in law.

With the aforesaid, this contempt application stands disposed of.

(Rajendra Menon, CJ)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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