

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4385 of 2013

Arising out of

Civil Writ Jurisdiction Case No. 609 of 2007

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Prosanta Kumar Ray son of Late Mohan Lal Ray, Resident of Flat no.49-B, Triveni Apartment, Sheikh Sarai Phase - 1, New Delhi - 110017, Executive Director(Finance), Pyrites, Phosphatges & chemicals Ltd, Amjhore, district Rohtas, Bihar.

.... Petitioner/s

Versus

1. Sudhir Mittal, union of India, through the Secretary (Fertilizers), Ministry of Chemicals and Fertilizers Department of Fertilizers, Shastri Bhawan, New Delhi.
2. Sudhir Mittal, The Secretary (Fertilizers), Ministry of Chemicals and Fertilizers Department of Fertilizers, Shastri Bhawan, New Delhi.
3. U.S Patole, the Board of Director, the pyrites phosphates & Chemicals Ltd (A Govt. of India undertaking) corporate office, 12 A Sector, 24 Noida U.P.
4. U.S Patole, the Pyrites, Phosphates & Chemicals Ltd, (A Govt. of India undertaking), corporate officer, 12,.A sector, 24 Noida Up through its Chairman cum Managing Director.
5. Sudhir Mittal, the Chairman cum managing Director, the pyrites phosphates & Chemicals Ltd, (A govt. of India undertaking Corporate office, 12 A SECTOR 24 NOIDA UP CUM DIRECTOR (FERTILIZERS, MINISTRY OF CHEMICAL AND FERTILIZERS, DEPARTMENT OF FERTILIZERS, SHASTRI BHAWAN, NEW DELHI.

.... Respondent/s

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Appearance:

For the Petitioner/s : None.

For the Respondent/s : Mr. N. A. SHAMSI (A.S.G.)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 19-04-2017

Nobody appears on behalf of the petitioner.

Learned counsel for the respondent is present.

Learned writ court in CWJC No. 609 of 2007 decided on 24.08.2012 directed the Official Liquidator to consider the claim of the petitioner in the Liquidation Proceeding pending and take a



decision with regard to the claim of the petitioner. The same is pending consideration before the Official Liquidator and the Official Liquidator is expected to proceed and decide the same in accordance with law.

As far as the direction issued to the Secretary, Fertilizers, Ministry of Chemicals and Fertilizers, Department of Fertilizers to examine the claim of the petitioner for payment of Voluntary Separation Scheme and decision of the representation is concerned, L.P.A. No. 1175 of 2016 was filed by the Union of India through the department of Fertilizers, this direction has been modified on 15.11.2016 and now the Official Liquidator is directed to examine this claim of the petitioner also and take a decision.

That being so, this contempt application primarily pending about non-consideration of the claim of the petitioner by the government of India towards the Voluntary Separation Scheme is no more to be considered as the direction has already been modified on 15.11.2016. Now the petitioner is required to raise all the claim before the Official Liquidator. It would be for the Official Liquidator to settle the claim of the petitioner that is pending before the Official Liquidator.

In view of the above, no further action is required to be taken in this matter. Accordingly, this contempt application is



disposed of. Respondents are discharged from the contempt proceeding.

(Rajendra Menon, CJ)

Mishra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.04.2017
Transmission Date	

