

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2408 of 2011

=====

Bimal Kumar Bishnoi, son of late Sunder Lal Bishnoi, resident of Flat No.401,
Abhishek Plaza, Exhibition Road, P.S. Gandhi Maidan, District Patna

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajnikant Mishra, Advocate

For the Respondent/s : Mr. AC to SC-22

For Sugar Corporation Mr. Gyan Shankar, Advocate

For B.R.E.A.D.A. Mr. Prasoon Sinha, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 21-06-2017

Inter alia contending that orders dated 27.8.2010
passed by this Court in C.W.J.C. No.1418 of 2010 have not
been complied with, this contempt application has been filed.

The writ petition was disposed of directing the
petitioner to file a representation stating the details of the
unpaid claim and the respondents were directed to settle it
along with interest. From the detailed affidavits and counter
affidavits filed, it is seen that the undisputed amount has been
settled and now there are serious dispute between the parties
with regard to settlement of further claim.

The claim made by the petitioner is refuted by



the respondents and now in view of serious dispute between the parties with regard to unpaid amount, it is not appropriate for this Court to enter into this area of the dispute, adjudicate the same in this contempt application and direct payment to the petitioner. Para3 of the supplementary show cause filed by Respondent Nos. 3 and 4 goes to show that various amounts with regard to leave encashment, interest thereon, provident fund and interest amount totally amounting to Rs.7,492/- have been paid to the petitioner and with regard to unsettled amount, there are serious dispute between the parties which cannot be adjudicated in these contempt proceedings. The order passed by the learned Writ Court in the writ petition was only to settle the undisputed claim and this having been done, in case the petitioner has any grievance still subsisting with regard to settlement of his claim, the petitioner may ventilate the same afresh in accordance with law before an appropriate forum.

In the facts and circumstances of the case and in the light of the settlement made by the respondents with regard to undisputed claim, further proceedings in this contempt



application is not called for.

Accordingly, this contempt application is disposed of.

(Rajendra Menon, CJ)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.6.2017
Transmission Date	N/A

