

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2971 of 2013

IN

Civil Writ Jurisdiction Case No. 1430 of 2010

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1. M/S Satyam Enterprises, Shankarpuri, Satpura Colony, P.O. Ramna, Muzaffarpur Through Its Sole Proprietor, Satyendra Narain Singh
 2. Satyendra Narayan Singh Son Of Shri Rajendra Prasad Singh Resident Of Shankarpuri, Satpura, P.O. Ramna, Police Station Kazi Mohammadpur, District Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. Bharat Sanchar Nigam Limited, Through Principal General Manager, Telecom District Telephone Bhawan, 'R' Block, Patna
3. Shri R.P. Singh (Rajendra Prasad Singh) Principal General Manager, Bharat Sanchar Nigam Limited, Telecom District Telephone Bhawan, 'R' Block, Patna
4. Shri Vijay Kumar, Chief General Manager, Telecom District Telephone Bhawan, 'R' Block, Patna
5. Shri Rajiv Ranjan, Divisional General Manager, Planning, Bharat Sanchar Nigam Limited
6. Shri Kush Kumar, Divisional General Manager, Rural West Bharat Sanchar Nigam Limited
7. Shri Shatrughan Rai, Divisional Engineer, Rural West, Telephone, Danapur
8. Shri Anirudh Rai, Sub Divisional Engineer, Telephone Bihta, Bharat Sanchar Nigam Limited

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Prasad, Advocate
For the Respondent/s : Mr. Arvind Kumar, AC to G.P.-23
For the BSNL : Ms. Renuka Sharma, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 29-03-2017

A contract was executed between the petitioners and the



authorities of Bharat Sanchar Nigam Limited and contending that after execution of the work, his final settlement is not being made, the petitioners filed the writ petition. Instead of relegating the petitioners to take recourse to common law or the proceedings for arbitration, the writ Court took a sympathetic view directed the petitioners to make the claim before the concerned respondents and directed the respondents to settle the admitted claim of the petitioners within a reasonable period of time. Now contending that the settlement has not been done, the petitioners have filed this contempt application.

Matter is pending since 2013 and from the counter affidavit filed by the respondents it is seen that they have constituted a committee to examine the claim of the petitioners, notices were issued to the petitioners to appear before the Committee and it is stated in the counter affidavit that the petitioners did not appear and did not cooperate in the disposal of the matter by the Committee. The petitioners refute the aforesaid contention and submit that the petitioners were willing to cooperate, but the department is not cooperating in the matter.

Taking into consideration the detailed disputes that have come on record, this Court finds no case for initiating contempt to be made out. If the petitioners have any grievance with regard to settlement of their claim, the dispute being within the realm of the



contract, liberty shall be available to the petitioners to take recourse to the remedy as may be available, in the peculiar facts and circumstances in the light of the serious dispute on facts, this is not a case where action for initiating a proceeding for contempt is made out. The respondents are discharged from the proceedings. The application is dismissed.

(Rajendra Menon, CJ)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	31.03.2017
Transmission Date	

