

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1659 of 2016

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1. Dinesh Pandey S/o Late Hari Shankar Pandey Resident of Village Madhaul, P.O. Susta Madhopur, P.S. Turki (O.P.), District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Mr. R.K. Mahajan, the Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
2. Ajay Kumar, the Chief Engineer, Department of Urban Development, Government of Bihar, Patna.
3. Om Prakash Singh, The Superintendent Engineer, Department of Urban Development, Government of Bihar, Patna.
4. Anupam Kumar, the District Magistrate, Muzaffarpur.
5. Kamal Tanuja, The Incharge Senior Deputy Collector, District Urban Section / Branch, Muzaffarpur.
6. Arun Kumar Mishra, The Executive Engineer, District Urban Development Agency, Muzaffarpur.
7. Shambhu Singh, The Divisional Manager, Bihar State Road Transport Corporation, Muzaffarpur.

.... opp.parties-contemnors.

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Appearance :

For the Petitioner/s : Mr. Suman Kumar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 08-02-2017 Heard Mr. Khan for the petitioner, Ms. Archana Prasad, AC to SC-19 for the State and Mr. Mankeshwar Tiwari for the opposite party no.7

The present contempt application alleges wilful/deliberate disregard/disobedience of the order dated 13.07.2015 passed in CWJC No. 22508 of 2014 (Annexure-1) at the hands of the opposite parties. The writ application was disposed of permitting the petitioner to file a representation raising



his claim with regard to non-payment of his dues on account of executing some contract works whereafter the same was directed to be examined by the Chief Engineer. Based on such examination the admissible dues were directed to be paid.

In the supplementary show-cause, it is stated that in the light of the said order the case of the petitioner was placed before the State Level Liability Committee and after full verification the order has been passed contained in Annexure –G series. It is stated that, on verification, it was found that the petitioner has been paid in excess against the work executed.

Mr. Khan made diverse submissions to criticize the findings recorded by the Chief Engineer in the said order. He argues that all relevant records pertaining to the case of the petitioner was not considered/examined. The correctness of the order passed by the respondents cannot be examined in the contempt proceedings. If the petitioner has any grievance against those orders, it will be open to him to represent before the concerned opposite parties and/or challenge the same in accordance with law.

From the statements made in the supplementary show cause, this Court is satisfied that no wilful/deliberate disregard/disobedience of the order has been made at the hands of



the opposite parties.

The contempt petition is dismissed.

(Kishore Kumar Mandal, J)

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