

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.503 of 2015

IN

Miscellaneous Jurisdiction Case No. 1358 of 2014

=====

Parmeshwar Bhagat son of Late Amrit Bhagat Ex-Assistant Manager, Bihar State Financial Corporation, Motihari Branch, Motihari, District- East Champaran, At present C/o Sri Satish Chandra, Mohalla- Indira Nagar, P.S.- Jakkanpur, Town Patna District- Patna

.... Appellant

Versus

1. The Bihar State Financial Corporation, Fraser Road, P.S.- Kotwali, Town and District- Patna through their Managing Director Sri Pradeep Kumar
2. The Board of Directors through Sri Pradeep Kumar
3. Sri Pradeep Kumar IAS S/o Late R. Lall, the Managing Director
4. Sri R.P. Singh S/o Not known, the Conducting Officer
5. N. Prakash S/o Not Known, the Deputy Manager (P & A)
6. Sri P.K. Jha, son of Not known, the Presenting Officer, Respondent Nos. 2 to 6 are all of Bihar State Financial Corporation, P.S. Kotwali, Town and District- Patna

.... Respondents

=====

Appearance :

For the Appellant/s : Mr. Anil Jayaswal, Advocate.

For the Respondent/s : Mr. Partha Sarthy, Advocate.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-04-2017

This is an appeal filed under Section 19 of the Contempt of Courts Act, 1971 against an order passed in M.J.C. No. 1358 of 2014, holding that beyond the direction issued by the learned writ court, no further action can be taken, if interest on the delayed payment of pension is not granted, no contempt is made out and therefore the Contempt petition is dismissed. Meaning thereby that



the respondents were discharged on the contempt proceeding. Challenging the same, this appeal filed. This appeal is filed and the case is registered as a Miscellaneous appeal under Section 19 of the Contempt of Courts Act, 1971. It is also mentioned in the application that this appeal under Section 19 is maintainable. An order of discharge/acquittal or dismissal of the contempt application is not amenable to the appellate jurisdiction under Section 19 of the Contempt of Courts Act, 1971, an appeal under Section 19 is only maintainable against an order of conviction in a Contempt proceeding and not against an order of discharge.

Accordingly, this appeal is not maintainable and it is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Amit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08-04-2017
Transmission Date	NA

