

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4128 of 2014

Arising out of

Civil Writ Jurisdiction Case No. 2175 of 2009

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Rajnandan Singh Son of Brahmdeo Singh Resident of Village-Mirabigha,
P.O.-Kalandur, P.S.-Makhdumpur, District-Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Rajeshwar Dayal, the Engineer-in-Chief, Water Resources Department, Bihar, Patna.
3. Sri Kailu Sardar, the Chief Engineer, Water Resources Department, Aurangabad (Bihar).
4. Sri Rekha Lal Ram, the Superintending Engineer, Eastern Sone High Level Canal Circle, Aurangabad.
5. Md. Neyaz Waris the Executive Engineer, Eastern Sone High Level Canal Division, Aurangabad.
6. Sri Siddheshwar Prasad, the Sub-Divisional Officer, Eastern Sone High Level Canal, Barun, Aurangabad.
7. Sri Nageshwar Prasad, the Superintending Engineer, Koshi Project, Purnea.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ramesh Singh, Advocate.

For the Respondent/s : Mr. Rohitabh Das, AC to AAG-X.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

4 24-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is raising a grievance that
the order dated 13.02.2009 passed in CWJC No. 2175 of 2009
has not been complied with.

It would be appropriate to quote relevant portion of



the order, which are as follows:

“That being so, this application is even in respect of the grievance of increment is totally misconceived and must be dismissed. The dismissal of the writ application however will not come in the way of the petitioner to approach the authority for grant of increment which is paid to have not been paid to him from the year 1998.”

In the first part of the order, the petition has been dismissed, but liberty was granted to the petitioner to approach the authority for grant of the increment, which has not been given to the petitioner since 1998.

A Show cause has been filed, attaching the order dated 14.02.2015, wherein it has been mentioned that all the admitted dues have been paid to the petitioner under different heads.

The counsel for the petitioner submits that the order dated 14.02.2015 does not show that the entitlement of increment has been considered by the authority, though the petitioner has filed a representation for consideration.

At this stage, no case of contempt is made out against the opposite parties. If a representation is filed by the petitioner, the concerned authority shall consider the same and pass an appropriate order.



Accordingly, the contempt application is disposed

of.

(Shivaji Pandey, J)

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