

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.6508 of 2013

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1. Sukhu Prasad Son Of Mangal Prasad At Present Working As Assistant,
Bankipur Circle, Patna Municipal Corporation, Rajendra Nagar, Patna

.... Petitioner/s

Versus

1. The Patna Municipal Corporation through its Municipal Commissioner (Mr. Kuldeep Narain)
2. The Executive Officer, Bankipur Circle, Rajendra Nagar, Patna (Mr. Shaliesh Kumar)

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain, Adv.

For the Opposite Parties : Mr. Prasoon Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
and
HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

Date: 15-11-2017

This application has been filed by the petitioner to initiate a contempt proceeding against the opposite parties for their willful and deliberate disobedience to the order dated 13.08.2013 passed by a Division Bench of this Court in LPA No. 432 of 2013. By the aforesaid order, the opposite parties were directed to pay the petitioner the salary of the post of Assistant till such time that it continues to take the services from him of that post with more onerous responsibility and answerability.



2. It is submitted by the learned counsel for the petitioner that the order passed by this Court has not been complied with till date.

3. A show cause has been filed on behalf of the opposite party no.1 wherein it has categorically been stated that after the order was passed by this Court, a direction was given by the opposite party no.1 to pay the petitioner salary of the post of Assistant Incharge till such time the Corporation continued to take services from him on that post. It has further been stated that the Executive Officer, Bankipur Circle has already issued a cheque of Rs.5,25,141/- in favour of the petitioner, which has been received by him.

4. When confronted with the statements made in the show cause, learned counsel for the petitioner admitted that the said cheque has already been received by the petitioner and the amount mentioned therein has been credited to his account. However, he contended that there is some error in calculation of the due amount and the petitioner is entitled to receive some additional amount of money.

5. Having heard the parties, we are of the considered opinion that no case for initiation of contempt against the opposite parties is made out, as the order passed by this Court has duly been complied with. In case the petitioner is aggrieved by the calculation made by the Corporation, he would be at liberty to take appropriate



steps in this regard.

6. The application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

(Chakradhari Sharan Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21-11-2017
Transmission Date	

