

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.973 of 2017

In

Civil Writ Jurisdiction Case No.3423 of 2016

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1. Baliram Tiwari, Son of late Ramanand Tiwari, Resident of Village- Bindu Sar, Police Station- Siwan, District- Siwan.
 2. Balmiki Prasad Kashyap, Son of Late Ambika Prasad Singh, Resident of Mohalla- Surbhi Bazar, Police Station- Phulwari, District- Patna.
 3. Mostt. Muneshwar Devi, Wife of Late Ram Naresh Singh, Resident of Village- Gobindpur, Police Station- Fatwah, District- Patna.
 4. Dipankar Bhattacharya, Son of Late Chandi Das Bhattacharya, Resident of Mohalla- Bind Toli, Police Station- Shastri Nagar, District- Patna.
 5. Awadhesh Prasad Singh, Son of Late Chandeshwar Singh, Resident of Village- Newari, Police Station- Kurtha, District- Jehanabad.
 6. Suresh Pandit, Son of Late Ganga Pandit, Resident of Village- Bankipur Gorakh, Police Station- Fatwah, District- Patna.
 7. Devendra Prasad, Son of Late Munshi Lal, Resident of Mohalla- North Mandiri, Police Station- Buddha Colony, District- Patna.
 8. Shiv Kumar Prasad, Son of Late Ram Awatar Lal, Resident of Village- Kalanpur, Police Station- Fatwah, District- Patna.
 9. Bal Bhadra Chaubey, Son of Late Chandra Shekhar Chaubey, Resident of vilage- Natwar Khurd, Police Station- Natwar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Managing Director, Bihar State Industrial Development Corporation Ltd. Patna (Indira Bhawan), Ram Charitra Singh Path, Boring Canal Road, Patna- 1.
2. Under Secretary of Bihar State Industrial Development Corporation Ltd. Patna (Indira Bhawan), Ram Charitra Singh Path, Boring Canal Road, Patna-1

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Sharma, Advocate

For the Respondent/s : Mr. Satyabir Bharti, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

7 28-03-2018 *Inter alia* contending that an order passed in CWJC
No.8787 of 2004 on 25.06.2012 has not been complied with,



this application has been filed for initiating action for contempt.

Earlier making the same complaint, MJC No.641 of 2013 was filed and on 12.10.2015, the said application was disposed of in the following manner without initiating any action for contempt:-

“Heard.

Today, the counsel for the Bihar State Industrial Development Corporation has produced the cheques with respect to the petitioners of the present application showing the payment of certain amount in pursuance of the order dated 25th June 2012 passed in CWJC No.8787 of 2004 submitting in view of the fact that services of these petitioners were transferred to the Bihar State Financial Corporation from the date of issuance of the Office Order, treating their services as fresh appointment. The Corporation has calculated the amount and paid the same through different cheques which are being handed over to the counsel for the petitioners who received the same before the Court.

If the petitioners are not satisfied, it is opened for them to take legal recourse as available in law.

Accordingly, this application is disposed of.”

The reply filed by opposite party Nos. 1 and 2 be kept on record.”



It is now pointed out that certain facts were suppressed from the Court and correct facts were not brought to the notice of the Court and arrears were not calculated correctly. If that be so, the petitioner should either submit a review application before the Court which passed the order in MJC No.641 of 2013 as indicated hereinabove on 12.10.2015. No fresh contempt proceedings can be initiated. The application stands dismissed.

(Rajendra Menon, CJ)

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