

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4771 of 2014

In

Civil Writ Jurisdiction Case No. 5269 of 1997

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1. Bachchan Prasad Son of Sri Sumeshwar Prasad , Resident of Village Gandak Colony , Raghu Nathpur , P.O. - Motihari , P.S. - Turkolia , District- East Champaran, Motihari.
 2. Shanti Sinha Wife of Late Binod Prakash Singh the then Accounts Clerk , Champaran Division , Motihari , Water Resources Department Government of Bihar , Motihari at present resident of Village Khuda Nagar More, Ward No. 14 Dharm Samaj Road , P.O. - Motihari , P.S.- Chatoni, District - East Champaran, Motihari.
 3. Hardeo Prasad Singh son of Sri Shyam Sunder Prasad Singh , Resident of Village - Maldah Mauji, Via- Hasanpur Raod , P.O, - Hasanpur , P.S. - Hasanpur Road , District- Samastipur.
 4. Mostt. Malti Devi W/o late Surendra Dubey
 5. Sanjay Kumar Diwedi S/o late Surendra Dubey
- Both of Resident of Village- Thikha Bhawanipur, Sangrampur, Motihari, East Champaran at Present residing at -Raghunathpur, Ward no. 3, Batha Road, P.S. Raghu - Nathpur, P.O. Tirkolwa, District- East Champaran.
6. Karuna Kumari W/o Sri Bhulan Pathak Resident of Mohalla- Raghu - Nathpur, P.S. Tirkolwa, District- East Champaran
 7. Kiran Kumari W/o Sri Brij Bhushan Pandey Resident of Mohalla- Chota Bariyarpur, P.S.-Chatori, District- Motihari(East Champaran).
 8. Ruby Kumari W/o Sri Vijay Kumar Tiwary Resident of Mohalla- Sahnti Puri, P.O. +P.S.- Town Thana, District- Motihari (East Champaran).

.... Petitioners

Versus

1. The State of Bihar
2. Mr. Deepak Kumar Singh I.A.S., Secretary, Water Resources Department, Government of Bihar, Patna.
3. Mr. Md. Sohaib , Joint Secretary, Water Resourced Department, Incharge of post of Director Revenue Administration Water Resources Department , Sichai Bhawan , Patna.
4. Mr. Rajesh Kumar, Under Secretary, Water Resources Department, Sichai Bhawan, Patna.
5. Mr. Ashish Kumar Sinha, Engineer -in Chief Water Resources Department Government of Bihar, Patna.
6. Mr. Kailu Sardar, Chief Engineer, Water Resourced Department, Motihari.
7. Mr. Braj Kishore Rajak, Superintending Engineer, Gandak Design and Quality Control Circle , Water Resources Department, Motihari.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shanti Pratap

For the Respondent/s : Mr. Yogendra Pd. Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD



ORAL ORDER

10. 02-11-2018 Learned counsel for the petitioners submits that the order of the learned writ court has been substantially complied with. It is however pointed out that so far as the petitioner no. 3 is concerned, his salary for the period 25.07.2014 to 31.07.2014 has remained unpaid. The benefits of ACP have not been given to the petitioners.

Learned counsel for the State submits that the order of this court has already been complied with in its terms and spirit. As per direction of the learned writ court the petitioners were reinstated in service and have been paid their salary as per direction of the learned writ court.

So far as the claim of ACP is concerned, the same was not a part of the direction of the learned writ court and hence that aspect would not go into the present contempt application.

In the given facts and circumstances of the case, this court is of the considered opinion that the present contempt application is now not required to proceed. In case, the petitioners have any claim, it will remain open for them to raise those claims before the competent authority which may be examined by the authority concerned in accordance



with law.

This application stands disposed off,
accordingly.

Rajeev/-

(Rajeev Ranjan Prasad, J)

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