

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.740 of 2017

IN

Civil Writ Jurisdiction Case No. 18023 of 2015

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Krishna Kumar Singh, Son of Jai Gobind Singh, Resident of Village- Derwa, P.S.-
Kudra, District- Kaimur (Bhabhua).

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate Kaimur at Bhabhua, namely Sri Rajeshwar Prasad.
2. The Managing Director, Bihar State Food And Civil Supply Corporation Limited, Sone Bhawan, 5th Floor, Birchand Patel Path, Patna namely Sri Ganga Prasad.
3. The District Manager, Bihar State Food and Civil Supply Corporation, Kaimur at Bhabhua namely Sri Ashok Kumar Singh.
4. The Godown Manager, State Food and Civil Supply Corporation, Kudra, District- Kaimur at Bhabhua namely Sri Ram Shankar Singh.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Tiwary, Advocate
For the State : Mr. Md. Kamil Akhtar, AC to AAG 5
For the BSFC : Mr. Shailendra Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-06-2018

Heard learned counsel for the petitioner, learned counsel for
the State as well as learned counsel for the opposite party-Corporation.

2. The present petition has been filed for initiating a
contempt proceeding against the opposite parties for willful
disobedience of the order of this Court dated 11.11.2016 passed in
CWJC No. 18023 of 2015.

3. Learned counsel for the petitioner accepts that even
though the arrears of rent amounting to Rs. 15,77,149/- has been



received through Cheque No. 148328 dated 23.02.2018 (Annexure-A to the show cause), the opposite parties were liable to make payment of interest at the rate of 9% per annum in case of delayed payment which however has not been made.

4. Learned counsel for the opposite party-Corporation, on the other hand, submits that the liability to consider and dispose of the petitioner's representation was made subject to filing of the representation within four weeks from the date of the judgment but the same was filed by the petitioner belated. As such, the Corporation was not even liable to consider the claim of the petitioner yet acting in a bona fide manner, the representation of the petitioner has been considered and payment has been made.

5. Having regard to the facts and circumstances of the case, this Court is of the view that substantial compliance of the order of this Court has been made by the opposite parties, the present petition stands disposed of.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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