

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3792 of 2017

In
Civil Writ Jurisdiction Case No. 11138 of 2016

=====

1. Smt. Sita Jha Widow of late Ratikant Jha Resident of Village and P.O. -
Sakhwa , P.S. Pipra and District- Supaul.

.... Petitioner/s

Versus

1. Dr. Sunil Kumar Singh Son of not known The Bihar State Co-operative
Marketing Union Ltd. through its Chairman, Biscomaun Bhawan, Patna.
2. Suraj Deo Mehta Son of late Begu Singh Managing Director, Bihar State
Cooperative Marketing Union Ltd., Biscomaun Bhawan, Patna.
3. Shailendra Kumar Singh Son of late Surendra Nath Mishra Chief
Accounts -Cum-Account Officer, Bihar State Co-operative Marketing union
Ltd. Biscomaun Bhawan, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar

For the Respondent/s : Mr. Rakesh Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 01-08-2018 Heard learned counsel for the petitioner as well as
learned counsel appearing for the opposite parties.

The petitioner filed this contempt petition being
aggrieved by non compliance of order dated 19.08.2017 passed in
CWJC No. 11138 of 2016 but admittedly, the aforesaid order
dated 19.08.2017 was passed on I.A No. 4911 of 2017 which had
been field in CWJC No. 11138 of 2016.

Learned counsel appearing for the opposite parties
submits that the husband of the petitioner was dismissed from
service and the aforesaid fact was not brought to the notice of this
Court while passing order dated 19.08.2017 in CWJC No. 11138
of 2016. He further submits that moreover, the admitted dues of



the petitioner has already been paid which has specifically been pleaded at Para-8 of show cause.

On the other hand, learned counsel appearing for the petitioner submits that leave encashment, gratuity as well as salary have not been paid to the petitioner.

The perusal of order dated 19.08.2017 passed in CWJC No. 11138 of 2016 goes to show that this Court directed the opposite parties to make payment of admitted dues of gratuity, leave encashment and part provident fund and Para-8 of the show cause reflects that the provident fund to the tune of Rs. 75907/- and Rs. 31560/- as well as arrears of salary have already been paid from March 2000 to November 2007. So far as the gratuity amount is concerned, it has not been paid to the petitioner on the ground of his retrenchment. Therefore, it is obvious that all the admitted dues have already been paid to the petitioner. Since this Court had directed the opposite parties to make payment of admitted dues and admitted dues have already been paid, there is no need to keep this petition pending.

Accordingly, this petition stands disposed of.

(Hemant Kumar Srivastava, J)

N.K/-

U			
---	--	--	--

