

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.118 of 2017

In

Civil Writ Jurisdiction Case No. 18253 of 2010

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1. Sri Jhulan Sah, S/o Late Brichha Sah, resident of village - Dangasi, P.S. Barauli, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar through Sri R.P.S. Singh, The Joint Registrar, Co Operative Society, New Secretariat, Bailey Road, Bihar, Patna
2. Dr. Sunil Kumar Singh, The Chairman, Biscomoun Bhawan, Patna
3. Sri Ram Pratap Singh, the Managing Director, Biscomoun Bhawan, Patna
4. Sri Murlidhar Singh, the Administrator, Biscomoun Bhawan, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Veerendra Narayan

For the BISCOMAUN : Mr. Vikas Kumar

For the State : Mr. Raj Ballav Prasad Yadav-AAG,11

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

7 12-04-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State. Learned counsel for the BISCOMAUN is also present and has filed a show-cause.

Learned counsel for the BISCOMAUN submits that the writ order which is the subject-matter of the present contempt application had given liberty to the petitioner to raise his dispute before the Registrar, Co-operative Societies about payment of his salary for the period prior to his removal from service of the BISCOMAUN. The Writ Court had further directed that his application be disposed of as early as possible preferably within three months from the date of receipt of the dispute.

However, due to certain unforeseen circumstances, the



petitioner could not file his representation before the Registrar, Co-operative Societies for a period of six years.

However, after the petitioner filed his representation, the application of the petitioner was forwarded by the Registrar, Co-operative Societies to the Managing Director, BISCOMAUN. The Managing Director, BISCOMAUN, thereafter, considered the case of the petitioner and vide order dated 21.08.2017, rejected the application of the petitioner and it has been categorically stated therein that so far as payments towards salary is concerned, the same would be done in accordance with the orders passed by this Court in L.P.A. No. 778 of 2007 wherein it has been specifically directed that all payments will be released in chronological order. Thus, the petitioner's payment would also be made according to the chronological order as placed in the list of retrenched employees.

Under such circumstances, no case of contempt is made out.

The application stands disposed of.

(Anjana Mishra, J)

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