

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1533 of 2015

IN

Civil Writ Jurisdiction Case No. 6031 of 2014

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Nasir Ali son of Fazale Ali, Resident of Village - Manpura, P.O. Tarwa Mangarpal,
P.S. Dariyapur, District -Saran, at present residing at Mohalla- Karimchak Emali,
P.O. Chapra, P.S. Chapra Town, District - Saran, posted as IVth Grade employee in
Accounts Section of Nagar Parishad, Chapra

.... Petitioner/s

Versus

1. The State of Bihar, through Sri Amrit Lal Mina, Principal Secretary, Urban Development Department, Government of Bihar, Patna
2. Nagar Parishad, Chapra, through its Executive Officer Sri Bijay Kumar Upadhyay, At & P.O. & P.S. Chapra, District - Saran
3. Smt. Shobha Devi, the Chairman, Nagar Parishad, Chapra, At & P.O. & P.S. Chapra, District - Saran
4. Sri Bijay Kumar Upadhyay, the Executive Officer, Nagar Parishad, Chapra, At & P.O. & P.S. Chapra, District - Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ved Prakash Srivastva

For the Respondent/s : Mr. S.K. JHA, GP 3

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 05-01-2018

CWJC No. 6031 of 2014 was disposed of on 11.9.2014

and the following directions were issued :-

“The petitioner is an employee of Nagar Parishad, Chapra. He submits that he has not been paid salary for some of the period for which he has worked. A



representation in this respect has already been filed.

This application is disposed of with a direction that if the petitioner files a fresh representation, the same will be disposed of within three months of its receipt by reasoned order.”

After this order was passed on 11.09.2014, there is no document available on record indicating as to what is the representation filed by the petitioner, to whom it was addressed and what was the claim in the representation with regard to payment of the salary to the petitioner. The writ petition was disposed of directing the petitioner to file a fresh representation and the respondents were directed to decide the same within three months of the order passed. There is nothing available on record as to what was the fresh representation filed by the petitioner after 11.09.2013 and to whom it was addressed. That being the position, I am not inclined to initiate any action for contempt against the respondent, particularly in view of the oral objection raised by the learned counsel representing the Nagar Parishad that the petitioner was not an employee of the Nagar Parishad, Chapra and, therefore, salary has not been paid to him.

However, if any fresh representation is filed, the authorities of the Nagar Parishad, Chapra shall consider it and decide the same by a speaking order.



With the aforesaid, this application stands disposed of.

(Rajendra Menon, CJ)

mr.l./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	08.01.2018
Transmission Date	

