

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4060 of 2014

In

Civil Writ Jurisdiction Case No. 16069 of 2008

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Ram Charitra Singh Son of Sita Singh Resident of Village- Dhanar, P.S.-
Chandradeep, District- Jamui, terminated Night Guard, CCA Dept., Gaya.

.... Petitioner/s

Versus

1. The State of Bihar Mr. A.K. Singh S/O Not Known the Chief Secretary, Bihar, Patna.
2. Mr. Rajesh Gupta Son of not known the Commisioner-cum-Secretary, Co-operative Department, Govt. of Bihar, Patna.
3. Mr. Rameshwar Singh S/O Not Known the Commissioner-cum-Secretary, Finance Department, Govt. of Bihar, Patna.
4. Mr. Ram Pratap Singh Son of not known the Managing Director, Bihar State Co-operative Marketing Union Ltd., Patna.
5. Mr. Sheo Lochan Mishra S/O Not Known the Finance Controller, Bihar State Co-operative Marketing Union Limited, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Nath Singh

For the Opposite Party/s : Mr. Ambrish Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

13 02-11-2018

In view of the stand of the BISCOMAUN showing that because of the financial constraints it is not possible to pay out of turn to the petitioner, this Court does not find any reason to proceed with the contempt application. The name of the petitioner appears at serial no.761 in the list in the chronological order and the BISCOMAUN is paying as per chronological order. There are only few instances in which in a contempt proceeding when actions were sought to be initiated the BISCOMAUN payment has paid to somebody out of turn.



In the opinion of this Court, which has been expressed earlier also, in such cases where there is financial constraints and under a policy the payments are being made in chronological order, any coercive action against the BISCOMAUN to pay the amount to a particular person out of turn may be a case of discrimination against those who are waiting for a long time in the queue and are placed above the petitioner.

This application is, thus, disposed off in terms stated above.

(Rajeev Ranjan Prasad, J)

Arvind/-

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