

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1878 of 2014

In
Civil Writ Jurisdiction Case No. 2887 of 2012

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1. Dr. Shesh Nath Upadhyay S/O Sri Naga Upadhyay, R/o Madanani Laion
Panchawati Colony, P.S.- Mithanpura, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Rameshwar Pd. Singh, Principal Secretary, Finance Department Old
Secretariat, Govt. of Bihar, Patna
3. Rajendra Ram, Director (Administration), Human Resources
Development Department New Secretariat, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pratap Sharma

For the Respondent/s : Mr. Raj Nandan Prasad

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

9 30-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

A supplementary show cause has been filed by the
opposite party no. 3 indicating that the petitioner has already been
paid the differential amount of salary in BES Cadre with effect
from 1988, since the petitioner's service has been merged in BES
Cadre from the date of his initial appointment. Hence, the
consequential benefits which accrued to the petitioner has already
been paid to the petitioner. However, learned counsel for the
petitioner controverts the said submission by stating that it is only
in the basic cadre that he has been paid.

Since the dispute has now been raised as to what was
the entitlement of the petitioner as on 29.04.1988, this court is not



inclined to proceed further in the contempt jurisdiction. The contempt application stands disposed of with a liberty to the petitioner to contest the claim before an appropriate forum.

(Anjana Mishra, J)

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