

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1968 of 2017

In

Civil Writ Jurisdiction Case No. 16049 of 2016

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1. Arwind Kumar, son of Late Deodhari Singh, At Flat No. B-102, Sapna Apartment, Ramnagari Road, P.O.- Ashiana Nagar, P.S.- Rajivnagar, Dist-Patna- 800025.
 2. Bhupendra Kumar Srivastava, son of Late Tarkeshwar Prasad, resident of Village+P.O.- Auarai, P.S.- Dawat, District- Rohtas (Sasaram).
 3. Pramod Kumar Rai, son of Sri Taluk Raj Rai, resident of Village + P.O.- Pipra (Mardanrai), P.S.- Kargahar, District- Rohtas at Sasaram.
 4. Alok Kumar, son of Sri Ganauri Prasad Mandal, At New Sheopuri Colony, Near Airport, Tilkamanjhi, P.S.- Kotwali, District- Bhagalpur- 812001.
 5. Sanjiv Kumar, son of Sri Dasrath Rajak, At Vikasnagar, P.O.- Government Polytechnic Purnea, District- Purnea- 854303.
 6. Arbind Kumar Sinha, son of Late Gaya Ram, resident of Village- P.O.- Gundi, P.S.- Krishnagarh Saraiya District- Bhojpur at Ara, Pincode- 802313.
 7. Nawal Kishore Singh, Son of Late Ramjee Prasad Singh, resident of Village+P.O.- Daudpur, P.S.- Shahpur, District- Patna.
 8. Surendra Narayan, son of Late G.N. Singh, resident of Village+P.O.- Sikrahta, District- Bhojpur at Ara.
 9. Nawal Kishore Pandit, son of Sri Ram Prakash Pandit, resident of Village- Hathauri, P.S.- Narma, District- Muzaffarpur- 843129.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Governemnt of Bihar, Patna.
2. Sri Amrit Lal Meena, Son of not known, Principal Secretary Road Construction Department, Government of Bihar, Patna.
3. Sri Binay Kumar, Son of not Known, Secretary, Rural Works Department, Government of Bihar, Patna.
4. Sri Mithilesh Kumar, son of not Known, the Deputy Secretary, Road Construction Department, Government of Bihar, Patna.
5. Sri Laxmi Narayan Das, son of not known, Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna.

.... Opp.Parties

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Appearance :

For the Petitioner/s : Mr. Y.V.Giri, Sr.Adv.

Mr. Pranav Kumar, Adv.

For the Respondent/s : Mr. Raj Ballabh Prasad Yadav, AAG XI

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

4 31-01-2018

Heard Mr. Y.V.Giri, learned Senior Counsel appearing

for the petitioners and Mr. Raj Ballabh Prasad Yadav, learned

AAG-11, for the State.



This contempt application has been filed alleging contempt by the opposite parties to the judgment and order passed in C.W.J.C.No.16049/2016.

While the contempt application is pending that the claim of the petitioners for dating back their promotion as Assistant Engineer under A.M.I.E. (Associate Membership of Institution of Engineers) has been considered and final orders passed vide Memo No. 11270(S) dated 7.12.2017 of the Principal Secretary, Road Construction Department, placed on record vide Annexure-A to the show cause filed on behalf of the opposite parties.

Although the order so passed does shift back the date of promotion of the petitioners but yet does not satisfy them and the argument of Mr. Giri, learned Senior Counsel, to draw the contempt thereof does not persuade this Court to enter into the merits of contesting claim. The petitioners would be at liberty to question the legality thereof in an appropriate proceeding before an appropriate forum.

No cause for indulgence survives in the contempt application. The contempt application is accordingly disposed of.

(Jyoti Saran, J)

Surendra/-

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