

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.4563 of 2014**

**In**

**Civil Writ Jurisdiction Case No. 10094 of 2002**

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Vishwanath Rai Son of Late Raj Narain Rai, Resident of village , P.O. & P.S. - Narhi, District - Balia (U.P.), presently residing at H/O Mr. Bholu Singh , Mohalla- Purandarpur (Jakkampur) , P.O. -G.P.O. , Patna,

.... .... Petitioner

Versus

1. The State of Bihar
2. Sri Arun Kumar Singh son of not known to the petitioner, the Commissioner-cum-Secretary, Department of Water Resources , Sinchai Bhawan, Patna.
3. Sri Satish Chandra Jha , son of not known to the petitioner, the Joint Secretary , Water Resources Department , Sinchai Bhawan, Patna.
4. Sri Ashish Kumar Sinha son of not known to the petitioner, the Under Secretary , Water Resources Department Sinchai Bhawan, Patna.
5. Mr. Braj Mohan Das , son of not known to the petitioner, the Chief Engineer, Department of Water Resources, Daltanganj, Palamu, Government of Jharkhand.
6. Mr. Chandra Hembram , son of not known to the petitioner, the Superintending Engineer, Design, Planing and Monitoring Circle, Daltanganj, Palamu, District- Palamu (Jharkhand).
7. Sri Suresh Kumar son of not known to the petitioner, the Chief Engineer, Water Resources Department Purnea, District- Purnea.
8. Sri Satikant Jha ( Sri Ram Singh) son of not known to the petitioner, the Superintending Engineer, Water Drainage & Investigation Circle, Purnea & Rural Development Special Circle, District- Purnea ( now Special Village Development Circle, Purnea).
9. Sri Raman Kumar son of not known to the petitioner, the District Provident Fund Officer, Daltaneganj, Palamu, District- Palamu (Jharkhand).
10. Sri Sanjay Kumar son of not known to the petitioner, the Accountant General ( A&E), II, Bihar and Jharkhand, Patna, Virchand Patel Path, Patna.
11. The Superintending Engineer, Water Drainage & Investigation Circle, Kosi Project - cum-Rural Development Special Circle , Purnea, District- Purnea- Sri Ram Singh, son of not known to the petitioner, Saharsa Circle abolished.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Shiw Kumar Prabhakar, Advocate  
Mr. Rajesh Kr. Singh, Advocate  
Mr. Arbind Kr. Sharma, Advocate  
For the State of Jharkhand : Mr. Satyavrat Verma, Advocate  
For the State of Bihar : Mr. Ajay Kumar, AC to GP-4

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN**



**PRASAD**  
**ORAL ORDER**

10    02-11-2018                      It appears that while disposing off the writ application, the learned writ court had been pleased to quash the impugned order holding the same non-est and it was left open for the respondents to proceed in accordance with law.

Following the observations of the learned writ court, learned counsel representing the opposite party no. 6 now submits that subsequent actions were taken, whereunder, leave for the period 13.10.1976 to 07.07.1980 was regularized as leave without pay and then it was sent to the State of Jharkhand on 09.01.2018 for calculating the benefits arising out of regularization of service of the petitioner from 13.10.1976 to 07.07.1980. In Paragraph No. 15 of the supplementary show cause, statements have been made to the effect that the calculation of revised pension and gratuity has been done and sent to State of Jharkhand and to the Accountant General vide letter dated 22.02.2018. The pension as well as gratuity of the petitioner has been revised.

In the given circumstance, where the learned writ Court has not adjudicated as to the quantum of payment to the petitioner and the entitlement etc., this Court cannot widen the scope of the contempt jurisdiction by going into such issues. There is no reason to take a view that it is a case of willful disobedience



and disregard to the order of the learned writ Court.

This contempt application cannot proceed, and is dropped, accordingly.

**(Rajeev Ranjan Prasad, J)**

R.R.Ojha/Ved/-

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