

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1998 of 2014

In

Civil Writ Jurisdiction Case No. 10549 of 2000

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1. Gauri Shankar Dubey Son of Late Mukhram Dubey Resident of Village - Turtipar, P.S. - Ubhan, District - Balia (U.P.) at present retired Headmaster, Government Aided Middle School, Akauna, Anchal - Punpun, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. R.S. Singh, In-charge Director, Primary Education, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
3. Mr. Amresh Kumar Sinha, Budget Officer, Primary Education, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
4. Mr. Arun Kumar Sharma, District Education Officer, Patna.
5. Mr. Keshav Prasad, District Programme Officer (Establishment), Patna.
6. Mrs. Shila Kumari, Block Education Officer, Punpun, District Patna.
7. Mr. Kamleshwar Prasad, Head Clerk, Posted in the office of District Programme Officer (Establishment), Patna.
8. Mr. Arun Kumar Sinha, Clerk, Posted in the office of District Programme Officer (Establishment), Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishnu Kant Dubey

For the Respondent/s : Mr. S.K.Sharma, GA 1.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

12 31-10-2018

By the order passed by the learned writ Court, a direction was issued to the opposite parties to pay the petitioner his salary for the period January, 2007 with interest at the rate of 11 % from the date the amount became due till the date of payment.

While learned counsel for the petitioner submits that the said payment which was ordered on 26.09.2008 by the learned



writ Court has not been paid to the petitioner with proper calculation of interest thereon, learned counsel for the State has drawn the attention of this Court towards submissions made in Paragraph Nos. 3 to 5 of the show cause wherein it has been categorically stated that the aforesaid sum of Rs.3,272/- has already been paid to the petitioner with interest at the rate of 11% per annum for the given period. The interest amount paid to the petitioner has been shown at Rs.78,040/-.

Learned counsel for the State has also drawn the attention of this Court toward Annexure 'C' which is relevant page of the salary register and submits that the register shows calculation towards the interest portion also.

On going through the averments made in the show cause and on perusal of the Annexure 'C' to the show cause, this Court is of the considered opinion that this contempt application is not fit to proceed now. In case the petitioner is still aggrieved, he may seek his remedy in accordance with law.

This application is dropped, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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