IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.91 of 2018
In
Civil Writ Jurisdiction Case No. 905 of 2015

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Ajay Kumar, S/o Late Rajendra Prasad, Resident of Quarter No. 64, S.B.I. Staff Colony, Digha Ghat, District Patna - 800011.

.... Petitioner/s

Versus

1. Mr. Pradip Kumar Ghosh (G.M.) the General Manager, State Bank of India, Local Head Office- Gandhi Maidan, Patna-1.
2. Mr. Subhash Jaiswal, Appellate Authority cum Deputy General Manager (B & O), Zonal Office, J.C. Road, Patna -800001.
3. Mr. Shailesh Kumar, the Asstt. General Manager (Admin.) & Disciplinary Authority, S.B.I. Administrative Office, Patna.
4. Mr. Mukesh Kumar, the Branch Manager, State Bank of India, S.K. Nagar Branch, Patna.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Ram Sandesh Roy, Adv.
For the Respondent/s : Mr. Chittaranjan Sinha, Sr. Adv. with
Mr. Rakesh Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 11-04-2018 Heard the parties.

The writ petition was allowed vide judgment and order passed on 14.09.2017 in CWJC 905 of 2015 quashing the dismissal order together with the order of reinstatement with back wages and consequential benefits. Since the order was not complied hence the contempt application was filed.

A show cause was filed after serving copy on learned counsel for the petitioner on 4.4.2018 and such is the statement made at paragraphs 7 and 8 of the show cause:

> "7. That it is further submitted that the petitioner has retired on 31.1.18; hence he is entitled to back wages from 30.5.2011 to 31.1.2018 together with other consequential benefits. That it is further stated in compliance of the Hon'ble Court order Bank has handed over Banker's Cheque no.976987 dated 31.03.2018 amounting to Rs.21,57,102/- for back wages and Banker's Cheque no.976984 dated 31.03.2018 amounting to Rs.47,812 to

> the petitioner with regard to refund of income tax already paid by the petitioner.
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> 8. That it is further submitted that with regard to the provident fund, gratuity and pension, the concerned forms/booklet for the payment has been handed over to the petitioner. It is further submitted that as and when the said forms has been submitted by the petitioner payment would be effected.

The statement is supported with enclosures and has not been contested.

According to the show cause of the Bank, the back wages has been paid and since the petitioner has superannuated on 31.1.2018 he has been asked to deposit the form for payment of post-retirement benefits.

In the circumstances noted nothing remains in the contempt application which is accordingly disposed of for it is now for the petitioner to complete the formalities for payment of his post-retirement benefits. However in case he disputes the calculation of the wages paid, he can make representation before the appropriate authority and which shall be disposed of by a speaking order within three weeks of its filing.

With the observation above, the contempt application is disposed of.

(Jyoti Saran, J)

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