

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3322 of 2017

In
Letters Patent Appeal No.780 of 2014

-
1. Ms/. Jai Ganga Foods Private Limited, Regd. Office situated at- Choti Usufur, at & P.O.- Hajipur, District- Vaishali, through Mr. Jailal Prasad.
 2. Jailal Prasad, Promoter & Managing Director of M/s. Jai Ganga Foods Pvt. Ltd., Choti Usufpur, Hajipur, District- Vaishali.

... .. Respondents/Petitioners

Versus

1. Bihar State Credit And Investment Corporation Limited, having its office situated at- Indira Bhawan, 4th Floor, Ramcharitra Singh Path, P.O.- G.P.O., P.S.- Srikrishanpuri, Town & District- Patna- 800001, through its Managing Director, namely, Sri Ravindra Prasad
2. Sri Ravindra Prasad, Managing Director, Bihar State Credit and Investment Corporation Limited, having its office situated at- Indira Bhawan, 4th Floor, Ramcharitra Singh Path, P.O.- G.P.O., P.S.- Srikrishanpuri, Town & District- Patna- 800001.

...Appellants/Opposite Parties

3. Sri S. Siddharth, Principal Secretary, Dept. of Industries, State of Bihar-cum-Chairman, Bihar State Credit and Investment Corporation Limited, New Secretariat, Patna.

... .. Respondent No.3/Opposite Party No.3

Appearance :

For the Petitioner/s : Mr. Manish Jha
For the Respondent/s : Mr. Nirmal Kumar

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

3 20-08-2018 This contempt application is filed alleging non-compliance of the judgment and order passed in LPA No. 780 of 2014, whereby the intra-Court appeal filed by the Respondent- Bihar State Credit and Investment Corporation(hereinafter referred to as 'the BICICO' against the judgment and order of



the learned Single Judge passed in CWJC No. 22283 of 2013 was dismissed with the direction to 'the BICICO' to carry out the direction of the learned Single Judge.

Be it noted that the Special Leave Petition filed on behalf of 'the BICICO' has also been dismissed, vide order present at Annexure-5 to the reply to the show cause.

While it is the submission of Mr. Nirmal Kumar Sinha appearing for 'the BICICO' that the order passed by the learned Single Judge as affirmed by the Division Bench has been complied with and for the purpose he has referred to the enclosures to the show cause filed on behalf of 'the BICICO' in the present proceeding, according to Mr. Manish Jha, learned counsel for the petitioners, there is an error in the calculation of the settled amount, although he admits that the order is passed in purported settlement under OTS-2013.

We find from the pleadings on record that as per the direction issued on the writ petition, 'the BICICO' was directed to calculate the settlement amount in terms of OTS-2013, and according to Mr. Sinha representing 'the BICICO' the settlement amount is in terms of the Scheme of OTS-2013. It is also informed by Mr. Sinha that following the settlement order dated 21.11.2017 at Annexure-A to the show cause, the amount



has also been deposited by the petitioner. As regarding the deposit of the settlement amount, it is stated by Mr. Jha that it was deposited with protest.

We have heard learned counsel for the parties and we have perused the order dated 21.11.2017 which gives a calculation for the settlement of dues under OTS-2013. Though the counsel for the petitioners disputes the settlement amount as not being in terms of OTS-2013 but we shall not be entering into the merit of the matter because in case there is any grievance subsisting for the petitioners, then they are free to raise the same by filing appropriate application before the appropriate forum but no case for contempt remains. The contempt application is accordingly disposed of with a liberty to the petitioners to avail of such remedy, if so advised.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

HR/-

U			
---	--	--	--

