

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2243 of 2018

IN

Civil Writ Jurisdiction Case No. 6480 of 2018

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M/s Vaishnavi Hospital, A Partnership Firm having its' Office at Maurya Vihar Colony, Transport Nagar, Patna, Bihar, through one of its Partner Shri Prince Kumar Tiwari S/o Late Dhruvdeo Tiwari Resident of Village & P.S.-Darauli, District-Siwan.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
2. Shailza Sharma, the District Magistrate, Saharsa.
3. Janmejaya Shukla, the District Planning Officer, The District Planning Office, Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Raj Kishore Prasad, Advocate.

For the Opposite Parties : Mr. Vinay Kirti Singh, GA-2

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-09-2018

Heard learned counsel for the petitioner and learned counsel for the opposite parties.

2. The present petition has been filed for initiating a contempt proceeding against the opposite parties for willful disobedience of the judgment of this Court dated 12.04.2018 passed in C.W.J.C. No. 6480 of 2018 requiring the authorities to consider the petitioner's case and taking decision at their end.

3. A show cause has been filed on behalf of opposite party nos. 2 and 3 today enclosing therewith an order dated



28.07.2018 (Annexure-A) passed by the District Magistrate, Saharsa according to which, *inter alia*, payment from the month of March, 2018 onwards has not been made for want of allotment of funds and the matter is in process. It has further been stated that payment for the period April, 2017 to February, 2018 has been correctly paid to the petitioner in terms of the reasons enumerated therein.

4. This Court is of the view that the order of this Court dated 12.04.2018 stands substantially complied with. Learned counsel for the opposite parties assures that payment for the month of March, 2018 would be paid immediately upon allotment of funds to the petitioner.

5. In the above view of the matter, MJC No. 2243 of 2018 stands disposed of with liberty to the petitioner that in case it is aggrieved by the order of the authorities as noticed above, it may agitate the same before an appropriate forum in accordance with law, if so advised.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.09.2018
Transmission Date	N.A.

