

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3752 of 2016

In

Civil Writ Jurisdiction Case No.1495 of 2014

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Ashok Kumar Sinha, Son of Late Ramanand Prasad, Resident of Village-Dhurlakh, P.S. + District – Samastipur, at Present Retired Work Charged Choukidar, National Highway Road, West Division, Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Road Construction, Government of Bihar, Vishwashraiya Bhawan, Bailey Road, Patna, namely, Shri Sudhir Kumar
3. The Chief Engineer, National Highway Road, Sub Region, Road Construction Department, Government of Bihar, Patna, namely, Shri Ram Awadhesh Kumar
4. The Superintending Engineer, National Highway Work Circle, Patna namely, Shri Manoranjan Kumar Sinha
5. The Executive Engineer, National Highway Road, West Division, Road Construction Department, Patna, namely, Shri Om Prakash Singh

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishnu Kant Dubey, Advocate
For the Opposite Party/s : Mr. Raj Ballav Prasad Yadav, AAG-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 28-11-2019 This application is being filed for initiation a rule of contempt proceeding against the contemnors/ opposite parties for their willful disobedience and intentional/deliberate



disobedience and violation of judgment dated 21.04.2015 passed in C.W.J.C. No. 1495 of 2014.

From the response filed by the State, it is evident that vide communication dated 19.11.2019, the State has taken appropriate action, inasmuch as, necessary sanction has already been accorded and the matter is pending in the office of Accountant General, Bihar, Patna.

Learned counsel for the petitioner states that within two weeks the petitioner shall complete, if not so done, all formalities.

As such, we direct the Accountant General, Bihar, Patna to ensure that upon fulfillment of all formalities, consequential action i.e. disbursement of the amount is taken within two weeks thereafter.

Liberty reserved to the petitioner to take appropriate action, if need so arises.

Learned counsel for the petitioner rightly points out that a provisional sanction to the extent of 90% of the amount has been done.

As such, we direct the petitioner to make himself available in the office of the Secretary of the Department, who will examine the matter and ensure to take appropriate decision



with regard to the petitioner’s entitlement within a period of four weeks. Thereafter, the Accountant General, Bihar, Patna shall have the amount released in accordance with law.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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