

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1681 of 2017

Kumar Chandra Prakash

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH THE SECRETARY, CO OPERATIVE
DEPARTMENT, GOVT. OF BIHAR, PATNA and ORS

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Madan Prasad Singh No-2
For the State	:	Mr.Ramashray Roy AC to - AAG XI
For the Biscomaun		Mr. Vikash Kumar

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

12 16-01-2019 Heard learned counsel appearing for the petitioner,

learned counsel appearing for Biscomaun and also learned

counsel appearing for the State.

Biscomaun has annexed annexure A and annexure B
to its show cause dated 11.7.2018 and it is informed on behalf of
the Biscomaun that all grievances of the petitioner have already
been redressed. However, learned counsel appearing for the
petitioner questioned the genuiness of annexure A and annexure
B submitting that NCUI issued cheque of Rs 35450/- in the year
2005 towards gratuity of the petitioner but vide cheque no.
173593 dated 7.7.2015 only Rs 31492/- was paid to the
petitioner whereas remaining amount was kept pending with
Biscomaun and the petitioner is entitled to get remaining



amount with interest. He, further, submits that annexure B of the show cause also goes to show that calculation has not been made properly and some deductions have been made, though the aforesaid deductions were not allowed in accordance with law.

In view of the aforesaid facts and circumstances, I am of the opinion that there is no need to keep this contempt petition pending and accordingly, this contempt petition stands disposed of. However, petitioner shall be at liberty to file fresh representation before Biscomaun within three months from today, if he has any grievance in respect of conclusion and deduction as well as non-payment of remaining gratuity amount given to him by NCUI and if the petitioner does so, Biscomaun shall pass appropriate order on the representation of the petitioner within three months from the date of its filing.

(Hemant Kumar Srivastava, J)

s.hassan/-

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