

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1968 of 2019

In
Civil Writ Jurisdiction Case No.2975 of 2019

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Suresh Kumar Mishra Son of Late Sita Ram Mishra Resident of Village-Mohanpur (Nischalganj) Post Office-Nischalganj, Police Station and Block-Ekangarsarai, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Through S. Sidharth, the Principal Secretary, Department of Finance, Government of Bihar, Patna
2. Yogendra Singh The District Magistrate Nalanda at Biharsharief.
3. Md. Siob The District Panchayat Officer Nalanda at Biharsharief.
4. Gopal Prasad The District Accounts Officer Nalanda at Biharsharief.
5. Ravi Kumar The Block Developmet Officer Harnauth, District-Nalanda at Biharsharief.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Rastogi (AAG 10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 18-09-2019

This Court had, by order dated 20.02.2019, directed the petitioner to make a fresh representation before the Block Development Officer, Harnauth, Nalanda at Biharsharif detailing his grievances with a direction to the concerned respondent to dispose of such representation within a fixed period of six weeks of the receipt of such representation.



From the supplementary show cause filed on behalf of Opposite Party No. 5 it appears that the entire admissible amounts claimed by the petitioner has already been paid and the only grievance left is with respect to benefits of 1st ACP with effect from 01.01.2016 in Grade Pay 4600/- in level 7 and 2nd MACP in Grade Pay 4800/- in level 8 for which guidelines have been sought from the department of Panchayati Raj, Bihar, Patna. From the guidelines of the department vide letter no. 5702 dated 06.09.2019, it appears that the aforesaid grievance of the petitioner cannot be allowed as the petitioner was not given promotion on the post of Block Panchayat Raj Officer. The aforesaid order has been passed on 06.09.2019.

Mr. Jitendra Kumar Roy, learned advocate submits that the order in compliance of the order of this Court has been passed without referring to the relevant materials and can be faulted with.



The petitioner would be at liberty to challenge the aforesaid order in an appropriate proceeding. There is no justification for the present contempt proceedings to be kept alive since the direction issued by this Court on 20.02.2019 has been fully complied with.

The petition stands disposed of with a liberty to the petitioner to prefer a separate/fresh petition against the aforesaid order passed by the the Block Development Officer, Harnauth, Nalanda at Biharsharif, if so advised.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.09.2019
Transmission Date	

