

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.101 of 2017

In
Civil Writ Jurisdiction Case No.387 of 2010

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Ramesh Mishra Son of Pandit Jageshwar Mishra Resident of Village -
Bangaon, P.O. - Bangaon, P.S. - Bangaon, District - Saharsa (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Sri R. K. Mahajan, Principal Secretary Cum Commissioner, Health Services and Family Welfare Development, Bihar, Patna.
2. Sri Dr. Azad Hind Prasad, Director, Health Services, Bihar, New Secretariat, Bailey Road, Patna.
3. Sri Chandra Shekhar Singh, District Magistrate, Darbhanga.
4. Dr. Sri Ram Singh, Civil Surgeon-cum-Chief Medical Officer, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Nath Ojha
For the Respondent/s : Mr.Aag9 S. D. Yadav

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 08-01-2019 Petitioner has filed the present application for initiating the contempt proceeding for non-compliance of the direction issued by the writ court dated 11.05.2010 in C.W.J.C. No. 387 of 2010. The Court directed the respondent nos. 2 and 3 for disposal of the representation filed by the petitioner.

Learned counsel appearing on behalf of the opposite parties has referred to paragraph-6 on wards of the show cause to contend that grievance of the petitioner has already been redressed as petitioner has been granted the benefit of financial up-gradation/ACP.

For ready reference paragraphs 6 to 9 of the show cause is quoted below:-

**“6. That most humbly and respectfully it is
stated that grievance of matter for granting benefit of
financial up gradation/ACP to the petitioner was**



placed before the Departmental Screening Committee.

7. That the Departmental screening committee examined the matter and recommended for granting the benefit of 2nd ACP to the petitioner and accordingly consequential notification contained in memo no. 1045 (3) dated 02/11/2010 has already been issued by the department granting the benefit of 2nd ACP to the petitioner in pay scale of Rs.12000-16500/- with effect from 09.08.1999 giving copy to all concerned including the petitioner for necessary action.

8. That it relevant to state here that the financial upgradation in pay scale of Rs.10000-15200/- had already been granted to the petitioner at earlier vide notification no. 1192 (3) dated 20.10.2008 with effect from 01.01.1996.

9. That it is stated that the admissible claim of the petitioner has already been redressed by the answering respondents in accordance with law in compliance of the order of this Hon'ble Court under contempt."

Considering the aforesaid, the Court is not inclined to proceed any further. However, if any other grievance is still unredressed, liberty shall be available to the petitioner to approach the appropriate authority in accordance with law.

(Anil Kumar Upadhyay, J)

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