

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2227 of 2018

In
Letters Patent Appeal No.814 of 2016

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1. Madhuri Devi Seth, Wiife of Late Mahabir Prasad @ Mahabir Sah, Resident of Village- Masrakh, District- Saran
 2. Khushbhu Kumari, Daughter of Mahabir Prasad @ Mahabir Sah, Resident of Village- Masrakh, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar and the Secretary, Department of Co-operative, Government of Bihar, Mrs. Sauma Singh, I.A.S.
2. The Bihar State Co-operative Land Development Bank through its Administrator, Budh Marg, Patna-1, Sri Ajay Kumar Singh
3. The Administrator, Bihar State Co-operative Land Development Bank, Budh Marg, Patna-1, Sri Ajay Singh
4. The Deputy Managing Director (Administrator), Co-operative Land Development Bank, Budh Marg, Patna-1 Sri Ajay Singh
5. Sri Atul Kumar Sinha, Conducting Officer, Bihar State Co-operative Land Development Bank, Head Office, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhusudan Kumar, Adv.

For the Opposite Party/s : Mr.Rajesh Prasad Choudhary, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

4 13-02-2019 Heard.

The present M.J.C. application has been filed for initiating a contempt proceeding against the respondents, particularly against Opposite Party No.4, the Deputy Managing Director (Administration), Co-operative Land Development



Bank for willful violation of the order dated 23.08.2017, passed in L.P.A. No. 814 of 2016, whereby, the order dated 08.07.2015 passed by the Writ Court in CWJC No.11619 of 1999 was modified to the extent that only 50% of arrears of salary of the husband of the petitioner has to be paid within a period of sixty days. The said arrears of salary has been directed to be calculated from the date of the order of dismissal i.e. 02.09.1999, of the husband of the petitioner till the date of superannuation which has been calculated to the tune of Rs.4,34,539/-.

It is submitted by Mr. Rajesh Prasad Chaudhary, that he is producing a cheque of Rs.4,34,539/- issued by the Bank of India and is handed over to the learned counsel for the petitioner for being handed over to the petitioner.

It is expected from Mr. Madhusudan Kumar, learned counsel for the petitioner to make acknowledgment of receipt of the cheque on the record. However, learned counsel for the petitioner further prays for some interest on delayed payment of the arrears of salary.

In the contempt proceeding this Court is not inclined to consider the abovementioned prayer of the petitioner for payment of interest as the same will be beyond the four corners



of the order under contempt. However, the petitioner would be at liberty, if so advised, to raise such grievance before the appropriate forum.

Since the order under contempt has been complied with, the M.J.C. application stands disposed of with the observation aforementioned.

(Dinesh Kumar Singh, J)

(Anil Kumar Upadhyay, J)

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