

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3404 of 2017

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Narendra Kumar Singh S/o Late Tokhaman Singh R/o Mohalla - Pakri Infront
of Urdu School, P.S. - Nawada, District - Bhojpur.

... .. Petitioner

Versus

1. The State Of Bihar
2. Mr. Anjani Kumar Singh S/o name not known the Chief Secretary, Govt. of Bihar, Patna.
3. Mr. Kuldip Narayan S/o name not known the Director Panchayati Raj, Bihar, Patna.
4. Mr. Shashank Subhankar S/o name not known the Deputy Development Commissioner cum Chief Executive Officer, Bhojpur, Ara.
5. Smt. Arti Devi W/o name not known the Chairman Zila Parishad, Bhojpur at Ara.

... ..Contemnors/Opposite Parties

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Appearance :

For the Petitioner : Mr.Braj Kishore Singh, Advocate

For the Opposite Party/State: Mr.Pushkar Narayan Shahi - AAG 6

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 05-02-2020

Heard learned counsel for the petitioner and learned
counsel for District Board, Bhojpur, Ara.

2. The petitioner has filed the present application for initiation of contempt proceeding against the contemnors/opposite parties for the deliberate and willful disobedience of the order dated 21.08.2017 passed in CWJC



No.9018 of 2015.

3. By the aforesaid order, the opposite party nos. 4 and 5 were directed to pay all the admissible retiral dues to the petitioner as early as possible but not later than three months from the date of the order. It was further directed that in case, the payment is not made within three months, the petitioner would be entitled to receive a cost of Rs.1,00,000/-.

4. A show-cause has been filed on behalf of respondent no. 4 stating therein that all the payments as directed by this Court has already been paid to the petitioner. Since there was some delay in payment of retiral dues to the petitioner, payment of Rs.1,00,000/- as cost has also been made.

5. Para 6 and 7 of the show-cause filed by respondent no. 4 reads as under:-

“6. That the answering opposite party has got enquired the matter from the office of the Zila Parishad and come to know that as far as payment of the entitlement of the retiral dues of the petitioner is concerned from the office of the Zila Parishad all the payment as directed by this Hon’ble Court has already been paid to the petitioner.

It is submitted that though it is a fact that the payment as stated above here not been made within the time limit granted



by this Hon'ble Court and directed by the order dated 21.08.2017 passed in CWJC No.9018 of 2015. It is stated that in respect of C.P.F. the petitioner has been paid Rs.2,89,412.00/- and in respect of the Gratuity, leave encashment and other entitlement the petitioner has been paid Rs.12,18,973.00/- which could very well be appreciated by perusal of the Memo No.294 dated 22.08.2019 and the deposit slip all 3913/19 in respect of the C.P.F.

7. That it is humbly submitted that as far as payment of Rs.1,00,000/- as cost of concerned which has been directed to this Hon'ble Court for payment in eventuality of delay in payment after three months of the date of order is concerned, it is submitted that since admittedly there have been delay in payment as indicated by this Hon'ble Court the office is in process of payment of the aforesaid amount of cost and it has been paid to the petitioner by memo no.377 dated 22.10.2017 and has been deposited in his account.”

6. Learned counsel appearing for the petitioner does not dispute that the payments as stated in the aforesaid paragraph 6 and 7 have been received by the petitioner.

7. Regard being had to the averments made in



the show-cause filed on behalf of respondent no. 4 as quoted hereinabove, I am of the opinion that no case for initiation of contempt proceeding is made out. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2020
Transmission Date	NA

