

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.170 of 2019

In
Civil Writ Jurisdiction Case No.19536 of 2011

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Pushpa Singh Wife of Late Ajay Kumar Singh Resident of Mohalla -
Prabhunath Nagar, West Housing Colony, Chapra, Near Hanuman Mandir,
P.S. - Mufassil Chapra, District - Saran (Chapra).

... .. Petitioner

Versus

1. Rajya Sahkari Bhumi Vikas Bank Samiti Bihar, Jharkhand, Budh Marg,
Patna Through Its Chairman.
2. Mr. Bijay Kumar Singh Chairman Rajya Sahkari Bhumi Vikas Bank Samiti
Bihar Jharkhand Budh Marg, Patna.
3. Mr. Gopal Sharan The Managing Director , Rajya Sahkari Bhumi Vikas
Bank Samiti (Bihar Jharkhand) Budh Marg, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Surendra Prasad Singh, Advocate
For the Opposite Party/s :	Mr. Y.V. Giri, Sr. Advocate
	Mr. Rajesh Prasad Choudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 13-04-2022 The petitioner has complained disobedience of this

Court's order dated 09.10.2014, passed in CWJC No. 19536 of

2011, paragraph 4 of which reads as under:-

“4. I accordingly dispose of the writ application with a direction to the Respondent No. 3, the Managing Director, Bihar Land Development Bank, Patna to clear all the admissible dues within a period of three months from today with an interest at the rate of 8% per annum from the date of the amount became due to the petitioner till the date of its actual payment. If the amount is not paid within the said period of three months, the



petitioner will be entitled to interest at the rate of 18% per annum on the said amount thereafter.”

It has been submitted on behalf of the opposite parties that a Letters Patent Appeal has been preferred against the said order of this Court giving rise to LPA No. 542 of 2019, which is pending. A copy of an order dated 23.02.2022 passed in LPA No. 542 of 2019 has been shown to this Court by Mr. Y.V. Giri, learned Senior Counsel appearing on behalf of the Bank which reads thus:-

“Mr. Y.V.Giri, the learned Senior Counsel appearing for the Bank, submits that the principal amount due to the widow shall be paid well within time before the next date of hearing.

As the learned counsel for the Respondent remains unrepresented, we deem it fit and proper to appoint Sri Gautam Kumar Kejriwal, Advocate as amicus curiae in this case. Let him be informed accordingly.

List on 2.3.2022.”

Mr. Y.V. Giri, learned counsel appearing on behalf of the Bank has submitted that in the light of the observation made by the Division Bench of this Court in LPA No. 542 of 2019, two cheques have been issued by the Bihar Sahkari Bhumi Vikas Bank Samiti in favour of the petitioner, one against the payment of principal amount of arrears of salary and the other against leave encashment for the sums of Rs. 2,87,062/-



(Rupees Two Lakh Eighty Seven Thousand Sixty Two Only)
and Rs. 78,769/- (Rupees Seventy Eight Thousand Seven
Hundred Sixty Nine Only) respectively. The said cheques have
been handed over to learned counsel for the petitioner in the
Court itself.

Let photostat copies of the two cheques be kept on
record.

Since the Court is of the view that there has been
substantial compliance of this Court's order with the payment of
principal amount, and the matter is pending before the Division
Bench, no purpose would be served by keeping this contempt
proceeding pending.

The contempt proceeding stands dropped
accordingly.

(Chakradhari Sharan Singh, J)

K.K.RAO/-

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