

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.503 of 2023

In

Civil Writ Jurisdiction Case No.3665 of 2018

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Raj Kumar Ray Son of Late Dukhan Roy, resident of Nand Gola, Laxmi Kanya Pathshala, Marufganj, Ranipur Milkichak, Police Station Malsalami, District – Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Anand Kishor, the Principal Secretary, Urban Development and Housing Department, New Secretariat, Patna.
3. Sri Animesh Kumar Parashar, the Patna Municipal Corporation through Municipal Commissioner, Maurya Lok, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rupak Kumar, Adv.
For the PMC	:	Mr. Ranjeet Kumar Pandey, Adv.
For the State	:	Mr. Ranajay Kumar Singh, AC to SC-6

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 12-07-2023

Heard Mr. Rupak Kumar, learned counsel for the petitioner, Mr. Ranjeet Kumar Pandey, learned counsel for the Patna Municipal Corporation and Mr. Ranjay Kumar Singh, learned counsel for the State.

Today, a supplementary show-cause has been filed on behalf of the O.P. No.3, the Municipal Commissioner, Patna Municipal Corporation, Patna.

Mr. Pandey, with reference to the statements made in the aforementioned show-cause, submitted that the O.P. No.3



examined the genuineness of the pension option form submitted by the petitioner and found that the said pension option form is forged. Accordingly, the Municipal Commissioner, Patna, passed a reasoned and speaking order as contained in Memo No. 8105 dated 04.07.2023 (Annexure-4), negating the claim of the petitioner.

The aforesaid contention of the O.P. No.3 has vehemently refuted by Mr. Kumar, learned counsel for the petitioner. He drew attention of this Court to the earlier show-cause filed by the O.P. No.3 and submitted that time to time different grounds have been taken to reject the claim of the petitioner which is highly reprehensible at least by the authority, who is holding such higher post. He contended that the order passed by the Municipal Commissioner dated 04.07.2023 does not show any compliance of the order of this Court and, in fact, still he is under contempt.

Be that as it may, taking into consideration that the pension form of the petitioner was examined at the level of the Municipal Commissioner, Patna Municipal Corporation, in compliance of the order of this Court and he has passed a reasoned and speaking order, the present contempt petition is disposed of with liberty to the petitioner to assail the aforesaid



order dated 04.07.2023, if he feels aggrieved.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	13-07-2023
Transmission Date	

