

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2467 of 2019

In
Civil Writ Jurisdiction Case No.18724 of 2014

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Md. Shamshad Khan Son of Shamshul Haque, Resident of Village- Piro, Post Office- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Brajesh Mehrotra, Son of not known to the petitioner Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. Rahul Singh Son of not known to the petitioner Secretary-cum-Commissioner, Department of Finance, Government of Bihar, patna.
4. Dr. Shyamal Kishore Pathak, Son of not known to the petitioner Consolidation, Government of Bihar, Patna.
5. Surendra Kumar Son of not know to the petitioner Consolidation, Buxar.
6. Vandana Kinni Son of not known to the petitioner Commissioner, Bhagalpur Division, Bhagalpur.
7. Raghvendra Singh Son of not known to the petitioner District Magistrate-cum-Collector, Buxar.
8. Pankaj Kumar Singh, Son of not known to the petitioner Under Secretary, Personnel Claim Cell (Finance) Bihar, Patna.
9. Mani K. Son of not known tot he petitioner Accountant General, Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar Singh, Advocate
For the Opposite Party/s : Mr.Asih Kalim, AC to A.A.G. 12

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 17-05-2023 Heard learned counsel for petitioner and learned
counsel for the State.

Alleging non-compliance of this Court's order dated
28-01-2019 passed in C.W.J.C. No. 18724 of 2014 (Annexure1)
the present contempt application has been filed.

In terms of the Court's order dated 28.01.2019 passed



in C.W.J.C. No. 18724 of 2014 (Annexure 1), an office order dated 19.11.2019 has been issued by the Revenue and Land Reforms Department, copy of which is Annexure-A to the supplementary show case filed on behalf of the Opposite Party No. 2. From the office order, it is apparent that the petitioner has been granted benefit of third A.C.P w.e.f., 01.01.2009 wherein, the petitioner's name figures at serial no. 19.

Learned counsel for the petitioner, however, submits that the same has been granted in a pay band and in a scale which is less than what he is entitled.

The direction of the Court in C.W.J.C. No 18724 of 2014 was as follows:-

“Since the matter is being protracted unnecessarily, this Court would observe that the claim be finally decided and the authorities should ensure that the benefits admissible and due to the petitioner are made available to him and issue order/direction for grant of said benefits within a period of eight weeks from the date of receipt/production of a copy of this



order”.

The same having substantially been complied with. If the petitioner has any grievance with the pay scale or pay band in which third M.A.C.P has been granted, he would be at liberty to assail same.

The contempt petition is dismissed.

(Madhuresh Prasad, J)

Shyambihari
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