

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.5260 of 2019**

**In**  
**Civil Writ Jurisdiction Case No.9636 of 2017**

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Rabi Shankar Jha, Son of Late Laxmishwar Jha, resident of Mohalla College Road, Behind Kali Mandir, P.S. Sahebganj, District Sahebganj (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Sanjay Kumar, the Principal Secretary Department of Health, Government of Bihar, Patna.
2. Mr. Dr. Ashok Kumar Singh, The Director, Health Department, Bihar, Patna.
3. Mr. Dr. Dinesh Kumar Nirmal The Civil Surgeon, cum Chief Medical Officer, Khagaria.
4. Mr. Dr. Dinesh Kumar Nirmal The Superintendent, Medical College Khagaria.
5. Mr. Sanjay Kumar Singh, The District Provident Fund Officer, Khagaria.
6. Mr. Praveen Kumar Singh, The Accountant General, Bihar, Patna.

... .. Opposite Party/s

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**Appearance :**

|                              |   |                                      |
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| For the Petitioner/s         | : | Mr. Shailendra Kumar Singh, Advocate |
| For the State                | : | Mr. Ajay Behari Sinha (GA 8)         |
| For the Accountant General : |   | Mr. Arun Kumar Arun, Advocate        |

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

5      22-03-2023                      Heard learned counsel for the petitioner and learned counsel for the opposite parties.

The instant application has been filed alleging contempt of the order dated 15.5.2019 passed by this Court in CWJC no.9636 of 2017. The said writ application was disposed of in the following terms:

“10. Having heard the counsel for the parties, this application is disposed off with a direction that the petitioner will file a detailed representation alongwith a copy of this order before



the Superintendent, Sadar Medical Hospital, Khagaria (respondent no. 4) with respect to payment of the amount due under the head of earned leave, LIC, gratuity, GPF and arrears of difference of salary along with the statutory interest, wherever applicable. In case the representation is filed within a period of three months from today, the respondent no. 4 shall dispose of the same within a period of three months from the date of receipt/production of a copy of this order and will also pay the admitted dues within the said period.

11. Writ application stands disposed off with the above observations and directions.”

Several show cause have been filed on behalf of the opposite parties. In the show cause filed on behalf of opposite party nos.3 and 4, a copy of the order contained in Memo no.1793 dated 8.12.2022 by the Superintendent, Sadar Hospital, Khagaria has been brought on record stating therein that the amount under different heads has been paid to the petitioner by different bills, details of which has been given in the said order. It is further stated that no other amount remains to be paid to the petitioner.

The Court is satisfied with the contents of the show cause and is of the opinion that there is substantial compliance of the directions contained in order dated 15.5.2019. As such, the instant contempt application is disposed of.



At this stage, it is submitted by learned counsel for the petitioner that as per the case of the petitioner further dues like some part of interest on the delayed payment and part of ACP have still not been paid.

The petitioner will be at liberty to pursue the respondent authorities for the same.

However, it is made clear that no further contempt application would be made out, the directions contained in order dated 15.5.2019 having been complied. The petitioner will be at liberty to move an appropriate application for his remaining grievances.

**(Partha Sarthy, J)**

Saurabh/-

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