

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1649 of 2024**

**In**  
**Civil Writ Jurisdiction Case No.14330 of 2010**

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Mahendra Prasad Singh Son of Late Harihar Prasad, Resident of mohalla-  
Puraniganj, P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Brajesh Malhotra, Chief Secretary, Government of Bihar, Patna Patna.
2. Mr. Amar Nath Pathak, S/o Kripanath Pathak, The Engineer-in-Chief -Cum- Additional Commissioner, Road Construction Department, Government of Bihar.
3. Mr. Kamlesh Prasad, The Chief Engineer, Transport South Bihar Road Construction Department, East Bihar Circle, Bhagalpur.
4. Mr. Shashi Bhushan Sahay, The Executive Engineer, Road Construction Department, Jamui, District- Jamui.
5. Mr. Shashi Bhushan Sahay, the Executives Engineer, Road Construction Department, Jamui, District-Jamui.
6. Mr. Sanjay Kumar Bharti, The Executive Engineer, Road Construction Department, Lakhisarai, District- Lakhisarai.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sarveshwar Tiwary, Advocate  
For the Opposite Party/s : Mr. S.D. Yadav, AAG- 9  
Mr. Dinesh Maharaj, AC to AAG-11

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**and**  
**HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)**

5      18-12-2024                      The present MJC (contempt petition) is filed for  
  
non-compliance of orders of this Court dated 09.01.2023  
  
passed in LPA No. 1347 of 2018.

2. From time to time various directions have been  
  
issued. Further, in the light of our previous order, Mr.



Mihir Kumar Singh, Additional Chief Secretary, Road Construction Department, Bihar Patna is present through video conferencing. Pursuant to our order dated 06.12.2024, they have calculated how did they arrive at Rs. 42,03,344/-. Such calculation has been prepared by Executive Engineer, RCD, Road Division, Jamui dated 11.12.2024. Perusal of the same, it is evident that the total amount which is to be paid to the petitioner was Rs. 42,03,344/-. They have initially paid a sum of Rs. 17,49,764/-. Therefore, the said amount has been deducted resultantly Rs. 24,53,580/- was due. Thereafter, further recovery of Rs. 12,40,705/- has been shown in the calculation sheet with reference to order dated 20.06.2024 vide Annexure-A to the 3<sup>rd</sup> supplementary show cause dated 17.12.2024 filed on behalf of opposite parties. Even though order dated 20.06.2024 is for recovery of Rs. 13,42,277/- read with deduction of 5% pension for a period of five years whereas in the calculation in respect of recovery, it is shown as Rs. 12,40,705/-. There are no sufficient reason and it is not tallying with the order dated 20.06.2024.

3. Be that as it may, there is a sufficient



compliance to the orders of this Court in view of the order dated 20.06.2024 read with order dated 20.09.2024 and calculation dated 11.12.2024 vide Annexures-A and B to the 3<sup>rd</sup> supplementary show cause dated 17.12.2024.

4. Accordingly, the present contempt petition stands dropped, reserving liberty to the petitioner to assail the order dated 20.06.2024 and consequential orders of the opposite parties before appropriate forum.

**(P. B. Bajanthri, J)**

**( Arun Kumar Jha, J)**

Balmukund/-  
Ashish/-

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