

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1878 of 2021

In
Civil Writ Jurisdiction Case No.4072 of 2017

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Uma Shankar Roy, Son of Late Mohan Roy, Resident of Village - Chunni,
Police Station - Buxar Town, District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Joint Secretary, Minor Water Resources Department, Government of Bihar, Patna namely Dr. Smt. Shailja Sharma, Fathers and husbands name not known.
2. The Engineer in Chief, Patna Region, Minor Water Resources Department, Government of Bihar, Patna Namely Sri Ashok Kumar Choudhary, Fathers name not known.
3. The Chief Engineer, Patna Region, Minor Water Resources Department, Government of Bihar, Patna namely Bindeswari Ram, Fathers name not known.
4. The Superintending Engineer, Patna, Irrigation Circle, Minor Water Resources Department, Government of Bihar, Patna namely Eng. Kamlesh Choudhary, Fathers name now known.
5. The Executive Engineer, Minor Irrigation Division, Buxar, District - Buxar namely Eng. Dhurv Naraian, Fathers name not known.
6. The Executive Engineer, Tubewell Division, Buxar, District - Buxar namely Shri Shambhu Paswan, Fathers name not known.
7. The District Magistrate Buxar Shri Aman Sameer, Fathers name not known.
8. The District Account Officer, Buxar Shri Mahboob Haque, Fathers name not known.
9. The Treasury Officer, Buxar Division, Treasury Buxar, District Buxar namely Shri Ajmal Ali Ansari, Fathers name not known.
10. The Accountant General A and E, Bihar, Patna namely Shri Parveen Kumar Singh, Fathers name not known.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Uma Shankar Roy, Advocate Mr. Nil Kamal, Advocate
For the Opposite Party/s	:	Mr. Pankaj Kumar Singh, A.C to to GA 9 Mr. Ajit Kumar, GA 9 Dr. Anand Kumar, Advocate Mr.Ranjan Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

10 05-01-2024

1. Heard learned counsel for the petitioner and learned



counsel for the State.

2. The instant contempt application has been filed alleging violation of the directions contained in the order dated 3.5.2019 passed in C.W.J.C. no.4072 of 2017 whereby the writ application was disposed of with a direction to the respondent authorities to revise the pension of the petitioner in terms of the recommendation of the 6th Pay Revision as extended to the employees of the State of Bihar vide letter no.820 on 23.9.2009 issued by the Finance Department, Bihar and also to pay 132% dearness allowance on the pension with effect from 1.7.2016.

3. Several show cause has been filed on behalf of the opposite parties and a reply to the show cause has also been filed on behalf of the petitioner.

4. Bereft of unnecessary details, it may be stated here that in the supplementary show cause filed on behalf of the opposite party nos. 8 and 9 ie the District Account Officer, Buxar and the Treasury Officer, Buxar Division the following statements have been made in paragraph nos. 3, 4 and 5 which is reproduced hereinbelow:-

“3. That the facts of the case in nutshell is that the petitioner was superannuated from the service on 28-02-2005 from the post of Revenue clerk while working in the erstwhile tubewell Division, Buxar. Thus, all the post retiral dues/admitted dues has been paid to the petitioner by the answering



opposite parties.

4. That it is relevant to state here further that the Senior, Treasury Officer, Buxar Send letter to Branch Manager, Centrail Bank of India, Buxar vide letter no. 180777 dated 20-07-2019 and vide letter no 742 dated 29-08-2023 Regarding PPO NO - 424916.

Photocopies of letters no. 180777 dated 20-07-2019 and letter no.742 dated 29- 08-2023 are annexed herewith and marked as Annexure-A (Series) to this suppl. show cause.

5. That the Branch Manager Contral Bank of India, Buxar informed on 16.09.2023 that the payment of dearness allowance of the pension @132% w.e.f. 01.07.2016 has been made to the petitioner on 31.01.2017 of sum of Rs. 2784.00 to the petitioner and also payment of arrear of revised pension w.e.f 01.04.2017 has been made on 30.04.2020 to the petitioner of sum of Rs. 108117.00 and different amount sum of Rs. 4591.00 will be paid with monthly pension of September 2023.

Photocopy of letter dated 16.09.2023 is annexed herewith and marked as Annexure-B to this suppl. show cause.”

5. Further a copy of the letter dated 16.9.2023 of the Branch Manager, Central Bank of India, Buxar written to the Treasury Officer, Buxar, has been brought on record stating that the petitioner has been paid 132% dearness allowance on 31.1.2016 and the revised pension on different dates as mentioned therein.

6. In view of the above, the Court is satisfied that no



contempt is made out.

7. The contempt application stands disposed of

(Partha Sarthy, J)

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