

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 3338 of 2024

In
Civil Writ Jurisdiction Case No.16108 of 2023

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Jai Jai Ram Roy Son of Late Basant Roy Resident of Village- Dasaut via
Singhia, P.O.- Dasaut, P.S.- Hathauri, District- Samastipur, PIN- 848209

... .. Petitioner/s

Versus

1. The State of Bihar through Dr. S. Siddharth the Additional Chief Secretary,
Education Department, Government of Bihar, Patna.
2. Sri Kumar Subodh Chaudhary the Director (Administration)-cum-Additional
Secretary, Education Department, Govt. of Bihar, Patna.
3. Shri Richie Pandey the District Magistrate, Sitamarhi.
4. Sri Amrendra Kumar Pathak the District Education Officer, Sitamarhi.
5. Sri. Raj Kumar, the Accountant General (A and E), Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kumar
For the Opposite Party/s	:	Mr. Madhukar Mishra, Advocate
For the A.G.	:	Mr. Arun Kumar Arun, Advocate

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

3 22-11-2024 Heard learned counsel for the parties.

2. This contempt petition has been filed alleging violation of the order dated 21.06.2024, passed in C.W.J.C. No. 16108 of 2023, whereby respondent authorities were directed to pay the petitioner remaining 10% of the pension and gratuity along with arrears, if any, which was withheld by the respondent authorities.

3. Mr. Madhukar Mishra, learned counsel appearing for respondent nos. 1 to 4 submits that a counter affidavit by respondent no. 2 has been filed online today and he undertakes



to file hard copy of the same before the Registry by today itself. However, he has placed a copy of the counter affidavit filed by respondent no.2, which has been perused by this Court. In paragraph nos. 5 and 6 of the counter affidavit filed by the respondent no.2, it has been stated as under:-

“5. That at the outset, it is humbly submitted that in order to ensure compliance of the order of this Hon'ble Court under reference, the Education Department, Bihar, Patna has issued a resolution contained in Letter No.225 dated 20.11.2024 whereby and whereunder, the departmental proceeding initiated against the petitioner has been rescinded/cancelled.

6. That it is further humbly submitted that subsequently, vide Departmental Memo No. 1210 dated 20.11.2024 necessary sanction order of balance amount of 10% pension and 10% gratuity has been already been issued in favour of the petitioner and communicated the same to the Principal Accountant General (A & E), Bihar, Patna for issuing authority letter in this regard. The copy of the same has also been sent to all concerned including petitioner for further action.”

4. From the averments made in paragraph nos. 5 and 6 of the counter affidavit filed by respondent no.2, I find that the necessary sanction order for payment of remaining 10% each of



pension and gratuity has been issued in favour of the petitioner for its onward payment.

5. Accordingly, I find that the order dated 21.06.2024, passed in C.W.J.C. No. 16108 of 2023 has been complied with by the respondent authorities.

6. Under the circumstances, this contempt petition shall stand closed.

7. Learned advocate for the respondent no.2 shall file the hard copy of the counter affidavit filed online by respondent no.2, before the Registry, whereafter the registry shall place the same on record in M.J.C. No. 3338 of 2024.

(Nani Tagia, J)

Amrendra/-

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