

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1240 of 2019

In
Civil Writ Jurisdiction Case No.6375 of 2016

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Chhotelal Prasad, Gender-Male, aged about 46 years, Son of Shri Satya Narayan Prasad Resident of Mohalla- Naya Bazar, Purani Gudari, Police Station- Bettiah (Town), District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Nilesh Ramchandra Deote Son of name not known presently Posted as District Magistrate, West Champaran at Bettiah, Bihar.
3. Shri Nand Kishore Sah Son of Name not known presently Posted as Additioanal Collector, West Champaran at Bettiah.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. Akhileshwar Singh, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

2 22-03-2025 None appears on behalf of the petitioner.

2. Heard learned counsel for the opposite party.

3. This contempt petition has been filed alleging violation of order dated 30.10.2017 passed in C.W.J.C. No. 6375 of 2016, whereby District Magistrate, West Champaran at Bettiah was directed to release the admitted amount. Further, it was directed that for the disputed amount, it was provided that, the petitioner, if so advised, may file representation before the District Magistrate, West Champaran at Bettiah, who will look into the matter and pass a reasoned order in accordance with law.



4. Opposite Party Nos. 2 and 3 have filed a show cause.

5. In paragraph 9 and 10 of the show cause filed by the Opposite Party Nos. 2 and 3, it has been stated as under:

“9. That it is pertinent to mention here that Rs. 1,00,000/- (One Lakh) had already been paid to the writ petitioner on dated – 30/01/16 vide cheque no. 288871 dated 29/01/2016 as advance and after calculation on fixed rate i.e. Water Cane @ Rs. 25 per cane and Glass @ 31 for 100 pieces and after deduction of Rs. 5073/-” under Income Tax, remaining amount becomes only Rs. 1,41,197/- (One lakh forty one thousand one hundred ninety seven), hence same had been paid to the writ petitioner on dated 29/03/2016, thus there is no any admissible amount is due with regard to payment of the petitioner.

10. That it is also pertinent to mention here that the writ petitioner has submitted his representation on dated 13.09.2017 and considering the material available on record a speaking order has been passed by the authority concerned on dated 01.08.19, contained in memo no. 2138/Elec., dated 01.08.2019, whereby and where under application of the petitioner has been rejected.”

6. On perusal of paragraph nos. 9 and 10 of the show cause filed by the Opposite Party Nos. 2 and 3, I find that the admitted amount has been paid by the opposite party to the petitioner.

7. Insofar as the disputed amount is concerned, it appears from the paragraph 10 of the show cause that the petitioner had filed a representation, which has been considered by the authority and the same has been rejected.



8. Accordingly, I find that the order dated 30.10.2017 passed in C.W.J.C. No. 6375 of 2016 has been complied by the Opposite Party.

9. Resultently, the present contemp application is closed and disposed of.

(Nani Tagia, J)

Nilmani/-

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