

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1018 of 2023

In
Civil Writ Jurisdiction Case No.16616 of 2008

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Rajeshwar Prasad Singh, Son of Late Tapeswar Singh, Resident of R.L. Vatika, Flat No. 202B, Gali No. 3, Salimpur Ahara P.S. Kadamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sri Pratyaya Amrit, the Chief Secretary, the State of Bihar, Old Secretariat, Patna,
3. Dr. Shailaza Sharma the Commissioner-Cum-Secretary, Road Construction Department, Government of Bihar,
4. Abhay Sahay, the Additional Secretary, Road Construction Department, Government of Bihar, Patna.
5. Sumita Vatsa, The Under Secretary, Road Construction Department, Government of Bihar, Patna.
6. Sri Pankaj Kumar, the Deputy Secretary, Road Construction Department, Government of Bihar, Patna.
7. Sri Pankaj Kumar, Secretary, Departemnt of Finance, Government of Bihar,
8. Anugrah Narayan Sinha, the Under Secretary Personal Claim Cell, Government of Finance, Government of Bihar,
9. Grish Nandan Singh Executive Engineer, Road Construction Division, Government Buxar, Patna.
10. Smt. Sumitra Devi W/o-Late Tapeswar Sinha, Resident of Village- Ghorauhan, P.S. Masaurhi, District- Patna,
11. Smt. Kanchan Kumari D/o-Late Japeshwar Sinha, W/o Sri Dhananjay Kumar Resident of Village-Mubarakpur, P.S.-Shabpur, District-Patna.
12. Smt. Chanchala Kumari D/o-Late Tapeswar Sinha, W/o-Sri Prakash Resident of Village- 19, M Type Old Adityapur, P.S.-Adityapur, Saraikela, Tola Nagar,
13. Sri Raju Kumar S/o-Late Tapeswar Sinha Resident of Village- Ghorauhan, P.S. Masaurhi, District- Patna, at Present Village at R.L. Vatika, Flat No. 202B, Dwarika Nath Lane, Salimpur Ahra, Gali No. 3, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey, Adv.
For the Opposite Party/s : Mr. Ravi Bhardwaj, AC to GA-13

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER



3 28-11-2025

Heard the parties.

2. By the order under contempt, this Court vide its order dated 28.01.2019 passed in C.W.J.C. No.16616 of 2008 has held that the original petitioner, now substituted petitioners, are entitled to monetary benefits from the date the original petitioner has been granted promotion. Accordingly, the impugned order was quashed and the substituted petitioners were directed to ensure payment of arrears of difference of salary on account of promotion w.e.f. 28.05.1985.

3. In compliance with the order of this court, a show-cause affidavit has been filed on behalf of opposite parties no.2 to 6, wherein it is categorically averred that the delay has occurred on account of the fact that the State has preferred L.P.A. No. 367 of 2022 against the order under contempt, which stood dismissed on 20.01.2025. Subsequent thereto, the Committee in its meeting held on 21.08.2025 took a decision to ensure compliance of the order under contempt. In view thereof, a notification under memo number 818(S) dated 25.09.2025 has been issued for granting monetary benefit to the original petitioner from the retrospective date of promotion to the post of Assistant Director from 28.05.1985. The monetary benefit has also been sanctioned with the date of promotion in compliance



with the order of this court.

4. Learned Advocate for the petitioner submitted that though the aforesaid memo was issued on 25.09.2025, but till date the actual payment has not been done.

5. Learned Advocate for the State submitted that the same shall also be done at the earliest.

6. Having considered the submissions advanced and the averments made in the show-cause affidavit, the present contempt petition stands closed with hope and expectation that the actual monetary benefit must be paid to the legal heirs of the original writ-petitioner at the earliest, not beyond the period of four weeks from today.

(Harish Kumar, J)

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