

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2031 of 2019

In
Civil Writ Jurisdiction Case No.10698 of 2014

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Smt. Prema Mishra W/o Sri Satish Chandra Mishra Resident of Sati Bhagirath
Smiriti Bhawan, Nayatola, Madhopur, P.s.- Bakhtiyarpur, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education Department, Vikash Bhawan, Patna
2. Mr. R. K. Mahazan Principal secretary, Education Department, Govt. of Bihar, Patna
3. Mr. Arvind Kumar Verma Director (Primary Education Department), Govt. of Bihar, New Secretariat, Patna
4. Mr. Raghvendra Singh District Magistrate, Buxar, Distt.- Buxar
5. Mr. Vijay Kumar Jha District Education Officer, Buxar, distt.- Buxar
6. Mr. Arvind Kumar Deputy Development Commissioner, Buxar, Distt.- Buxer
7. Mr. Rameshwar Singh District Program Officer (Establishment), Buxar, distt.- Buxer
8. Mr. Birendra Kumar Headmaster, Primary School, Isari Sri Ram, Buxar, Distt.- Buxer

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Dipak Kumar, Advocate
For the Opposite Party/s :	Mr. Ashutosh Ranjan Pandey (Aag15)
	Mr. Prabhat Ranjan Singh, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

4 03-04-2025 This contempt application has been filed alleging violation of the order dated 20.11.2018 passed in CWJC No. 10698 of 2014 wherein this Court in paragraph No. 7 thereof had passed following order:-

*“...Considering the totality of the
fact situation, the Court cannot approve the
orders inflicting punishment dated*

03.10.2016 (Annexure-A) and 18.10.2016 (Annexure-B), they are accordingly quashed. The respondents have to proceed as if Annexures A and B never existed and consequential benefits of quashing Annexures A and B must reach the petitioner within a maximum period of four months from the date of receipt/production of a copy of this order..”

2. Opposite No. 5/ District Education Officer, Buxar has filed a show-cause wherein in paragraph Nos. 7-10 it has stated as under:

“... 7. That it was upon receipt of communication and guidelines from the - Director, Primary Education Bihar, Patna. in this regard that steps for complying with the order passed in the connected writ petition had been undertaken and as such as the order of dismissal of the petitioner had been quashed by this Hon'ble Court in the connected writ petition, hence provisional pension and provisional gratuity, on the basis of last pay drawn had been sanctioned by the District Programme Officer, (Establishment) , Buxar vide letter no. 177 dated 12.02.2021 and further vide letter no. 326 dated 15.03.2021 order had also been issued for payment of arrears of pension for the period from 01.02.2021 to 31.01.2021.

8. That it is submitted that as per the records payment of the aforesaid provisional pension (inclusive of arrears) has been made / credited in the petitioner's bank account and so far provision gratuity is concerned the same is presently under process of clearance at the concerned Treasury and payment against the same is also genuinely expected to be made soon.

9. That it is submitted that as the complete service details. Service book of the petitioner is presently not traceable at the office, due to which provisional pension and gratuity had been sanctioned on the basis of last paid drawn and as such it is vide letter no. 465 dated 10.04.2021 that the petitioner has been requested to cooperate and provide her service details so that on the said basis the remaining admissible benefits could be settled.

10. That it is submitted that no sooner the aforesaid request made by the office is responded by the petitioner, the remaining admissible benefits would be positively worked out and settled at the earliest...”

3. On perusal of the averments made in paragraph Nos. 7-10 of the show-cause filed by the opposite party No. 5, I

find that the order dated 20.11.2018 passed in CWJC No. 10698 of 2014 has been complied by the respondents.

4. In view of the above, the contempt application stands closed and disposed off.

(Nani Tagia, J)

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