

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3273 of 2019

In
Civil Writ Jurisdiction Case No.8616 of 2019

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Sushila Kumari W/o Ramawtar Yadav R/o Mohalla-Barmasia, Mirchia Bari,
P.S. and District-Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. Sanjay Kumar, the District Education Officer, Katihar
3. Mr. Sanjay Kumar, the District Programme Officer (Estb.) Katihar
4. Mr. Brajesh Kumar, the District Programme Officer (Primary Education and
Sarva Shiksha Abhiyan), Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	None
For the State	:	Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA

ORAL ORDER

2 07-05-2025 None appears for the petitioner.

2. This contempt petition has been filed alleging violation of the order dated 22.04.2019 passed in C.W.J.C. No. 8616 of 2019, wherein this Court had passed the following order:

“Considering the nature of claim made by the petitioner, let the petitioner file a detailed representation before the respondent no. 4, the District Programme Officer (Establishment), Katihar which will be disposed of within a period of three months from the date of filing of such representation. Any amount due to the petitioner along with



admissible interest would be paid within two months thereafter. If certain deductions are to be made, the same shall be done by a speaking order but considering the fact that already the District Programme Officer (Primary Education and Sarva Shiksha Abhiyan), Katihar, respondent no. 5 has issued a no dues certificate in favour of the petitioner. The said order shall be communicated to the petitioner by registered post.

Writ application is disposed of accordingly.”

3. Opposite Party No. 3 has filed the show cause, wherein, in paragraph Nos. 5 to 10 it has been stated as under:

“5. That in the present context it is respectfully submitted that the order passed in the connection writ petition has been complied inasmuch as it was in light of the order passed by this Hon’ble Court in the connected writ petition as well as after taking into consideration the matter in its totality an order has been passed vide memo no.1710 dated 23.09.2019 directing the concerned Treasury Officer, Katihar to adjust Rs.57,000/- from the amount of Rs.9,37,481/- sanctioned to the petitioner, against gratuity by the Accountant General Bihar, Patna. A copy of the said order



has also been issued to the petitioner.

6. That it is submitted that it was after receipt of the representation that the petitioner had twice been informed vide letters dated 26.06.2019 and 03.08.2019 both sent through Registered posts communicating the petitioner to appear in support of his claim but said letters had returned with the remark 'refused' return to sender".

7. That in such attending fact position particularly as the petitioner had chosen not to respond, a report in the matter had been called from the Block Education Officer and the District Programme Officer (Sarva Shiksha Abhiyan) Katihar.

8. That the District Programme Officer (Sarva Shiksha Abhiyan) Katihar had suggested that Rs.57,000/- of the department had been found due towards the petitioner.

9. That it was in the said set of fact position particularly in view of the undertaking given earlier by the petitioner before this Hon'ble Court in the connected writ petition bearing CWJC No.8616/2019 that decision had been taken to adjust Rs.57,000/- from the gratuity amount of Rs.9,37,481/- sanctioned to the petitioner against gratuity amount by the Accountant General Bihar, Patna.

10. That an order to the aforesaid effect had been issued by the deponent vide memo



no.1710 dated 23.09.2019 to adjust Rs.57,000/- from the gratuity amount admissible to the petitioner and it is accordingly that the concerned Treasury Officer Katihar had been directed to ensure payment of the remaining amount of gratuity to the petitioner after adjusting the aforesaid amount of Rs.57000/-.”

4. On perusal of paragraph Nos. 5 to 10 of the show cause filed by the Opposite Party No. 3, I find that the order dated 22.04.2019 passed in C.W.J.C. No. 8616 of 2019 has been complied with by the Opposite Party No. 3.

4. Accordingly, the contempt petition stands closed and disposed of.

(Nani Tagia, J)

Narendra/-

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