

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4571 of 2019

In
Civil Writ Jurisdiction Case No.20072 of 2018

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Sahnaj Mehtani @ Sahnaj Methani, Female age about – 58 years, W/o- Safind
Miyan Resident of Near Pani Tanki, Masud Bigha, Ward No.10, P.S. Barh,
District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Chaitanya Prasad, son of Not known, the
Principal Secretary, Urban Development and Housing Department, Bihar,
Patna.
2. Smt. Jaya D/o K.M.P. Sinha, the Executive Officer, Barh, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ashutosh Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Rajiv Roy, GP-1
	Mr. Suresh Kumar, AC to GP-1
For the Nagar Parishad, Barh :	Mr. Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

8 14-05-2025 Heard learned counsel for the parties.

2. This contempt petition has been filed alleging
violation of the order dated 09.05.2019 passed in C.W.J.C No.
20072 of 2018, wherein, this Court had passed the following
order:

*“Considering the same, the
petitioner is directed to approach the
authorities concerned and deposit the pass
book so that G.P.F. with interest would be
credited in her account within a period of
two months from the date of
receipt/production of the copy of this order.
So far as other dues which the petitioner
claims, petitioner is at liberty to file a
detailed representation before the*



respondent no. 3, the Executive Officer, Barh Nagar Parishad regarding her unpaid dues which will be disposed of within three months from the date of filing of such representation. Any amount due to the petitioner would be paid within two months thereafter.”

3. Opposite Party No. 2 has filed a show cause on 12.09.2022.

4. When this contempt petition was considered on 06.05.2025, due to inability of the learned advocate representing the O.P. No. 2 to assist the Court, this Court had directed the O.P. No. 2 to remain present in-person before this Court today. Pursuant thereto, the O.P. No.2 is present today in the Court.

5. Learned advocate for the opposite party no.2 has submitted that online supplementary show cause has also been filed on 13.05.2025 by the O.P. No. 2. He submits that in the supplementary show cause, it has been stated that the G.P.F. amount of the petitioner along with interest, as directed to be paid in the writ petition, has already been paid. It is further submitted that in paragraph no. 9 of the supplementary show cause, it has also been stated that if any further admitted amount will be established by the petitioner, the same will be paid within 8 weeks.

6. Learned counsel for the petitioner is in agreement



with the submission of the learned advocate for the O.P. No. 2 insofar as it relates to the payment of the G.P.F. along with interest is concerned.

7. Insofar as the 2nd part of the direction in the writ petition is concerned, the petitioner has filed a representation before the O.P. No.2 - the Executive Officer, Barh, Patna on 17.05.2019 for consideration and disposal.

8. In the show cause filed on 12.09.2022 by the O.P. No. 2 – the Executive Officer, Barh, Patna, it has been stated in paragraph Nos. 7 to 11 as under:

“7. That in compliance of the order dated 05.09.2019 passed in C.W.J.C. No. 20072 of 2019 passed by this Hon’ble High Court, the petitioner filed a representation which was received in the office on 17.05.2019 by the Executive Officer, Nagar Parishad, Barh.

8. That the point as raised in the aforesaid representation have been examined and after considering materials available on record, a reasoned order has been passed vide Memo No. 1404 dated 10.09.2022 issued under the signature of Executive Officer, Nagar Parishad, Barh.

9. That by the aforesaid order, it has been decided by the Empowered Standing Committee, Nagar Parishad, Barh, in its meeting



held on 30.05.2022, that the difference amount of 5th, 6th PRC be paid in ten equal installments, each in six month, accordingly, in light of the aforesaid decision, the calculated amount of Rs. 3,72,379/- has been sanctioned for payment in ten installment each in six month and first installment amounting to Rs. 37,238/- is being paid through cheque vide No. 613480, dated 10.09.2022 to the petitioner at present.

10. That it has further been decided since the petitioner did not opted for pension during his service period as per the provision as laid down in Bihar Pension Regulation 1987 and as such payment of pension is not admissible to the petitioner. The list of seven person namely Sri Binda Ram (Driver), Sri Shivan Thakur (Light Kuli Kart Jamadar), Sri Birendra Kumar Sinha (Accountant), Sri Kedarnath Pandit (Asstt. Accountant), Sri K.M. Jorge (Adhidarshan), Sri Arvind Kumar Sinha (मु०स० निरीक्षक), Sri Akhtar Hussain (सफाई निरीक्षक), who opted for pension are submitted for kind perusal of my lord.

11. That it has further been decided the after calculation payable amount of provident fund comes to Rs. 1,59,663/- out of that an amount of Rs. 46,735 is deposited in Post Office Passbook and Rs. 25,688/- is deposited in PNB Passbook of the petitioner and remaining amount of Rs. 87,240/- was sent through special messenger by cheque no. 488412 on



03.07.2019 which was not received by the petitioner, it has been pointed out that dues amount towards dearness allowances and Medical allowances and earned leave and amount of gratuity of Rs. 4,14,489.50 has already been paid to the petitioner.”

9. On perusal of the averments made in paragraph Nos. 7 to 11 in the show cause filed by the O.P. No.2 – the Executive Officer, Barh, Patna on 12.09.2022 and also upon hearing the learned counsel for the opposite party as well as the learned counsel for the petitioner, insofar as the payment of gratuity with interest of the petitioner is concerned, I find that the order dated 09.05.2019 passed in C.W.J.C. No. 20072 of 2018 has been duly complied with by the opposite party.

10. The contempt petition, accordingly, stands closed and disposed off.

(Nani Tagia, J)

Nilmani/-

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