

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.423 of 2026

In

Civil Writ Jurisdiction Case No.4773 of 2021

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Sudama Sharma Son of Late Birda Mishra, R/o Ahilya Gautam Colony, Near Sangam Apartment, Ashiyana Nagar, P.S. Rajeev Nagar, Distt- Patna. Superannuated from the post of Assistant Engineer from the Office of Executive Engineer, Building Construction Department, Works Division, Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Kumar Ravi, the Secretary, Building Construction Department, Government of Bihar, Patna.
2. Sri Kumar Ravi, the Secretary, Building Construction Department, Government of Bihar, Patna.
3. Mr. Anand Kishor, the Principal Secretary, Department of Finance, Old Secretariat, Government of Bihar, Patna.
4. Shri Pankaj Kumar, the Principal Secretary Agriculture Department, New Secretariat, Government of Bihar, Patna.
5. Sri Jyoti Kumar, the Executive Engineer, Building Construction Department, Works Division, Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar, Adv.

For the Opposite Party/s : Mrs. Pushpanjali Sharma, AC to SC 20

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 03-07-2026

Heard Mr. Umesh Kumar, learned Advocate for the petitioner and the learned Advocate for the State.

2. The present application has been filed, seeking initiation of a contempt proceeding against the opposite parties for their wilful and deliberate disobedience of the order dated 21.10.2024 passed in CWJC No.4773 of 2021, whereby this Court has been pleased to direct as follows:



“7. Considering the submissions advanced hereinabove and the nature of the relief(s) sought for in the present writ applications, both the writ petitions stand disposed off in terms of the order/ direction of this Court in C.W.J.C. No. 3416 of 2020 with a further direction to the respondent no.2 to ensure payment of differential amount of gratuity to the petitioner in C.W.J.C. No. 1636 of 2021, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

8. Suffice it to say that if any of the similarly situated employees have been accorded the interest over the delayed amount, the same must be accorded to the petitioners.”

3. A show cause affidavit has been filed on behalf of opposite party nos. 1, 2 4 and 5 bringing on record the order contained in Letter No. 378 dated 27.12.2024 stating therein that the case of the petitioner is not similar to that of Ram Yash Sah, rather is different and as such the claim of the petitioner for interest over delayed amount has been rejected.

4. Learned Advocate for the petitioner submitted that at one hand, the petitioner's claim has been considered and accepted at par with the case of Ram Yash Sah, on the other hand in the matter of payment of interest, they are differentiating in a most arbitrary manner.

5. Be that as it may, considering the fact that a reasoned order has been passed stating therein that the case of



the petitioner is not identical to that of Ram Yash Sah, the petitioner is at liberty to assail the order dated 27.12.2024 in an appropriate proceeding.

6. The present contempt petition stands closed.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	06 .07.2026
Transmission Date	

