

(2025) 04 PAT CK 1443

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No.19985 of 2019

Awadhesh Kumar Upadhayay

APPELLANT

Vs

Bihar School Examination Board Patna

RESPONDENT

Date of Decision : 04-04-2025

Acts Referred:

Citation : (2025) 04 PAT CK 1443

Hon'ble Judges : Partha Sarthy, J

Bench : Single Bench

Advocate : Virendra Prasad, Shilpa Singh, Apurva Kumar, Sunil Kumar Mandal

Final Decision : Disposed Of

Judgement

Partha Sarthy, J

1. Heard learned counsel for the parties.
2. The instant application has been filed by the petitioner alleging violation of the directions contained in order dated 9.9.2020 passed in CWJC no.19985 of 2019.
3. By the aforesaid order, while quashing the order of punishment contained in memo no.3201/2019 dated 19.8.2019 issued under the signature of the Secretary, Bihar School Examination Board, Patna, this Court had observed that the petitioner would be entitled to all consequential pensionary benefits.
4. Learned counsel for the Bihar School Examination Board in reference to the show-cause filed on behalf of the Board and more particularly paragraph no.8 thereof submits that as the saving bank account of the petitioner had remained inoperative, the amount due to the petitioner under the head of group insurance, provident fund, gratuity, earn leave and arrears of pension, details of which has been given in the chart mentioned in paragraph no.8, was paid to the petitioner vide different drafts. For ready reference the chart given in paragraph no.8 of the show-cause is reproduced herein below :-

Sl. No.

Head

Draft No.

dated

amount

1

G.I

588147

25-08-2022

1,15,501

2

P.F

588151

25-08-2022

9,29,442

3

GRATUTIY

588149

25-08-2022

8,46,299

4

EARN LEAVE

588148

25-08-2022

2,46,028

5

PENSION ARREAR

588150

25-08-2022

23,36,579

5. In response, it is submitted by learned counsel for the petitioner that the directions contained in the order has not been complied with yet, as no calculation chart with respect to the arrears paid has been issued to the petitioner nor has the petitioner been issued the pension payment order.

6. Having heard learned counsel for the parties and taking into consideration the prayer made in the writ application, the directions contained in the order dated 9.9.2020 passed in the writ application from which the instant contempt application arises and the contents of the show-cause filed on behalf of the Board, the Court is satisfied that the directions contained in the order from which the instant contempt application arises has been substantially complied with.

7. For the remaining dues, as contended, the petitioner will be at liberty to move the appropriate authority/Bihar School Examination Board for payment thereof.

8. This application stands disposed of.