

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.561 of 2012**

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Awadh Bihari Dubey S/O Late Krishna Nand Dubey Resident Of Village  
Rivilganj Tola Godra Braham Toli, P.S. Rivilganj, District Chapra.

.... .... Petitioner/s

Versus

1. The State Of Bihar.
2. Sri Uday Singh Kumewal, The Transport Commissioner, Department Of Transport Govt. Of Bihar, Patna.
3. Sri Uday Singh Kumawal, Administrator, Bihar State Road Transport Corporation, Sultan Palace, Birchand Patel, Path, Patna.
4. Sri Rangesh Bihari, The Divisional Manager, Bihar State Road Transport Corporation, Patna.
5. Sri Mahendra Chaudhary, The Superintendent, Bihar State Road Transport Corporation, Paliganj Depot. Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s	:	Mr. Upendra Kumar, Advocate
For B.S.R.T.C.	:	Mr. P.K. Verma, Sr. Advocate (N.P.), Jainendra Kr. Sinha, Advocate
For the State	:	Mrs. Neelu Agrawal GA-6

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**CORAM: HONOURABLE MR. JUSTICE V.N. SINHA**  
**ORAL ORDER**

7      31-10-2012                      In compliance of the order of the High Court dated 21.6.2010 passed in C.W.J.C. No.8640 of 2010 Administrator, Bihar State Road Transport Corporation has passed order contained in Memo No.9469 dated 29.10.2012 observing that it is not possible for the Corporation to pay the petitioner financial benefit in the light of office order no.522 dated 3.12.2007 referred to in the order of this Court dated 21.6.2010. Counsel for the petitioner submitted that under order dated 3.12.2007 financial benefit was found due not only to the petitioner but also two

others who have already been paid such beneficial benefit and it is only the petitioner who is being deprived of his rightful dues on the ground that the Corporation does not have enough fund. Aforesaid submission can be better appreciated if petitioner challenges the order dated 29.10.2012 by filing writ petition.

The contempt petition is, accordingly, disposed of granting liberty to the petitioner to challenge the order dated 29.10.2012. Copy of order dated 29.10.2012 is also retained with the records of this case.

**(V.N. Sinha, J)**

Rajesh/-