

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.211 of 2014

In

Civil Writ Jurisdiction Case No. 18004 of 2011

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1. Sanjay Ram , son of Sri Mathura Ram, resident of village- Jiyan Bigha, P.S. and District- Shekhpura, at present posted as Dispensar in the office of District Tuberculosis Centre, Hazipur, Vaishali
 2. Munna Kumar Chaudhary @ Munnu Kumar Chaudhary, son of Late Somar Chaudhary, resident of village- Hanumangarh Kharjama, P.S. Chandi, District- Nalanda, at present posted as Dispenser in the office of District Tuberculosis Centre, Motihari
 3. Rajesh Kumar, son of Sri Saryug Tanti, resident of village and P.S. Kalyanpur, District-Munger, at present posted as Dispenser in the office of District Tuberculosis Centre, Jamui
 4. Ajay Kumar Singh, son of Late Ganesh Singh, resident of village- Samhakti, P.S. Dinara, District-Rohtas, at present posted as Dispenser in the office of District Tuberculosis Centre, Muzaffarpur
 5. Indu Kumari, wife of Kamal Kishore Kunal, resident of Mohalla- Ward No.10, Chondhi, Behind Middle School, Flat No.7, P.S. Barh, District- Patna, at present posted as Dispenser in the office of District Tuberculosis Centre, Barh, under Patna District
 6. Arjun Prasad, son of Sri Muneshwar Prasad, resident of village- Belwapar, P.S. Tharthari, District- Nalanda, at present posted as Dispenser in the office of District Tuberculosis Centre, Nalanda
 7. Jitendra Kumar, son of Sri Satya Narayan Prasad, resident of village- Dhiraundh, P.S. Sirdala, District-Nawada, at present posted as Dispenser in the office of District Tuberculosis Centre, Jehanabad
 8. Navin Kishore Singh, son of Late Sita Ram Singh, resident of village- Amra Tola, Faruqganj, P.O. Aurangabad (Saraiya), P.S. Amjhor, District- Rohtas, at present posted as Dispenser in the office of District Tuberculosis Centre, Rohtas
 9. Baijnath Prasad, son of Sri Diplal Sao, resident of village- Sampatchak, P.S. Gaurichak, District- Patna, at present posted as Dispenser in the office of District Tuberculosis Centre, Bahabhua, Kaimur

.... Petitioners

Versus

1. The State of Bihar
2. Sri Deepak Prasad, at present posted as Principal Secretary, Health and Family Welfare Department, Bihar, Patna
3. Sri Rameshwar Prasad, at present posted as Principal Secretary, Finance Department, Govt. of Bihar, Old Secretariat, Patna
4. Dr. Surendra Prasad, at present posted as Director-in-Chief, Health Services, Bihar, Patna
5. Dr. K.K. Prasad, at present posted as Deputy Director, Health Services (Tuberculosis), Agam Kuan, Patna
6. Dr. Irfanul Joha, at present posted as District Tuberculosis Officer, Vaishali, Hajipur
7. Dr. Shushil Kumar Sinha, at present posted as District Tuberculosis Officer, East Champaran at Motihari
8. Dr. Suchi Prasad Singh, at present posted as District Tuberculosis Officer, Jamui

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9. Dr. Suresh Sharma, at present posted as District Tuberculosis Officer, Muzaffarpur
 10. Dr. Prashant Kumar , at present posted as District Tuberculosis Officer, Barh (Patna)
 11. Dr. Ramnandan Prasad, at present posted as District Tuberculosis Officer, Biharsharif (Nalanda)
 12. Dr. Sharvan Kumar, at present posted as District Tuberculosis Officer, Jehanabad
 13. Dr. Rama Kant Sharma, at present posted as District Tuberculosis Officer, Rohtas , Sasaram
 14. Dr. Anil Kumar Singh at present posted as District Tuberculosis Officer, Bhabhua (Kaimur)

.... Opp.Parties.

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Srivastava

For the Respondent/s : Mr. AC to GP15

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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5 30-01-2015 Heard Sri Anil Kumar Mukund, learned counsel, who was assisted by Sri Raj Kishore Srivastava, learned counsel for the petitioners and learned AC to GP-15.

The present petition has been filed with a prayer to initiate contempt proceeding against Opp.Parties on an allegation of disobedience to an order dated 01.08.2013 passed in C.W.J.C.No.18004 of 2011. By the said order, the writ petition was disposed of on the prayer made by learned counsel for the petitioners to enable the petitioners to file a representation before Respondent no.3 regarding their claim and, thereafter, Respondent no.3 was directed to examine the same and pass a reasoned order expeditiously within the specified time.

In this case, a show cause on behalf of Opp.Party no.4

has been filed. Along with show cause, a detailed order passed by the Principal Secretary, Finance Department has been brought on record. Learned State Counsel submits that the claim of the petitioners was considered and by a speaking order, same has been rejected. Learned counsel for the petitioners has tried to persuade the Court that there is apparent error in the order passed by the Principal Secretary, Finance Department, Govt. of Bihar.

Keeping in view the fact that in compliance with the order of the writ court, a reasoned order has already been passed, it would be difficult for this Court to examine the correctness of the order passed by the competent authority in a contempt proceeding. If petitioners feel aggrieved with the order of the competent authority, they would be at liberty to assail the same in appropriate proceeding.

With above observation and liberty, the petition stands disposed of.

(Rakesh Kumar, J)

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