

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2643 of 2014

In

Civil Writ Jurisdiction Case No. 17670 of 2012

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Ajay Kumar, aged about 61 years, S/o Madan Mohan Rai, R/o Mohalla-
S.K.Samaddar path, Adampur, P.S.- Adampur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Amarjeet Sinha, the Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. R.S.Singh, S/o-Not known to the petitioner, The Director, Primary Education, Bihar, Patna.
4. Radhe Prasad, S/o-Not known to the petitioner, The Regional Deputy Director of Education Bhagalpur Division, Bhagalpur.
5. Surya Deo Paswan , S/o-Not known to the petitioner, The District Education Officer-cum-Chairman, District Education Promotion Committee, Bhagalpur.
6. Subhash Gupta, Son of not know to the petitioner, the District Programme Officer (Establishment) Bhagalpur.

.... O.P/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate.

For the O.P/s : Mr. S.A. Alam, SC 3.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

4 12-08-2015 Heard learned counsel for the parties.

2. Having regard to the fact that ultimately the two officials, namely, the District Education Officer, Bhagalpur and the District Programme Officer (Establishment), Bhagalpur could find that the petitioner was entitled for promotion and have notified such promotion by order dated 08.08.2015, as contained in Annexure-E to the supplementary show cause, this Court now must hold that the direction given by this Court in the earlier writ application filed by the petitioner, has been substantially

complied.

3. Learned counsel for the petitioner, however, has tried to make out a case that despite of an order of making payment of consequent difference of salary to the petitioner in terms of order of this Court, has not been made.

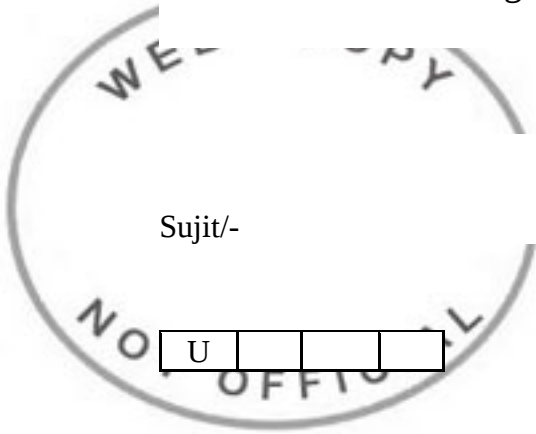
4. Both the officials, who are present in the Court, namely Mr. Phool Babu Choudhary, the District Education Officer, Bhagalpur and Mr. Jyoti Kumar, the District Programme Officer (Establishment), Bhagalpur immediately have sought to clarify that as the order was issued on 08.08.2015, necessary payment to the petitioner after observing the due formality shall be completed within a period of one month from today.

5. That being so, this contempt application has now become infructuous, but then this much must be observe that if the petitioner is, in any way, aggrieved by the aforementioned order of promotion dated 08.08.2015 and is not satisfied, he shall always have liberty to move the competent authority/appropriate court for redressal of rest of his grievance.

6. With the aforementioned observation and direction, this contempt application is disposed of.

7. The personal appearance of Mr. Phool Babu Choudhary, the District Education Officer, Bhagalpur and Mr.

Jyoti Kumar, the District Programme Officer (Establishment),
Bhagalpur is hereby dispensed with.



(Mihir Kumar Jha, J)