

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3515 of 2013

IN

Civil Writ Jurisdiction Case No. 13777 of 2012

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Kishore Kumar Yadav S/o Late Jagdish Prasad Yadav Resident Of Village Changa Ghat, P.S- Thakurganj, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mr. Amarjeet Sinha, Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. Mr. Ajay Kumar, The Director Primary Education, Bihar, Patna.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 10-03-2015

The present contempt application is filed asserting the non-compliance of the order dated 06.12.2012 passed in C.W.J.C. No. 13777 of 2012 whereunder the writ petition of the petitioner was disposed of in terms of order dated 12.10.2012 passed in C.W.J.C. No. 14322 of 2012 with analogous cases with the following observations;

“The petitioners shall be at liberty to produce such other documentary evidence also that they may be advised in support of their claim that the institution was valid and recognized. The decision making process of the respondents is naturally required to deal with the same also apart from what the respondents may collect in their wisdom.

The present order shall have uniform



application to all with qualifications from the aforesaid two institutions whether they be party or not. This shall not result in immediate reinstatement as qualifications from a valid and recognized institution has to be a pre-requisite for appointment on post of teachers having a responsibility towards the next generation. But the State cannot be given the latitude to keep matters pending without decision. The State Government is therefore bound to take a reasoned decision expeditiously.”

Learned counsel appearing on behalf of the opposite party nos. 2 and 3 submits that in compliance of the order of the writ Court, the petitioner produced the documents before the opposite party no.2, Principal Secretary, Human Resources Development Department, Government of Bihar, Patna, who on considering the same and after verification the documents, passed the reasoned and speaking order on 27.11.2012 that the certificate issued by the Central Board of Higher Education, New Delhi to the petitioner is not valid for the purpose of appointment on the post of teacher, which would appear from Annexure-A to the supplementary show cause filed on 15.10.2014.

In view of the above submission, since the order under contempt has been complied by opposite parties, no further action

is required to be taken. Accordingly, the present contempt application is disposed of.

However, if petitioner feels aggrieved, he may take legal course in accordance with law.

(Rajendra Kumar Mishra, J.)

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