

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No 5658 of 2013

IN

Civil Writ Jurisdiction Case No 16375 of 2010

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Santos Kumar Pathak S/O Late Jhakur Pathak Resident Of Village Samar, P.S. Nanpur, District Sitamarhi.

.... Petitioner/s

Versus

1. The State Of Bihar through Sri Ashok Kumar Sinha, the Chief Secretary, Govt. Of Bihar.
2. Sri Chanchal Kumar the Secretary, Art-Culture and Youth Affair, Government Of Bihar, Patna.
3. Sri S.K. Chaudhary, the Dy. Secretary, Art-Culture and Youth Affair, Govt. Of Bihar, Patna. (Chairman/Screenign Committee)
4. Sri Parwez Akhtar, Director Museum, Bihar Patna under Department Of Art Culture and Youth Affair, Bihar, Patna.
5. Sri D.S. Gangwar, the Secretary, General Administration, Govt. Of Bihar, Patna.
6. Sri Rameshwar Singh, Principal Secretary, Dept. Of Finance, Govt. Of Bihar, Patna.

.... Respondent/s

WITH

Miscellaneous Jurisdiction Case No 5659 of 2013

IN

Civil Writ Jurisdiction Case No 16244 of 2010

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Parmeshwar Thakur S/O Late Ram Krishna Thakur Resident Of Village- Ufardaha, P.S.- Bahera, District- Darbhanga

.... Petitioner/s

Versus

1. The State Of Bihar through Sri Ashok Kumar Sinha, the Chief Secretary, Govt. Of Bihar
2. Sri Chanchal Kumar the Secretary Art Culture and Youth Affair, Government of Bihar, Patna
3. Sri S.K. Chaudhary, the Dy. Secretary Art- Culture and Youth Affair, Government of Bihar, Patna (Chairman/Screening Committee)
4. Sri Parwez Akhtar, Director Musium, Bihar Patna under Department Of Art Culture and Youth Affair, Bihar Patna
5. Sri D.S. Gangwar, the Secretary, General Administration, Govt. Of Bihar, Patna
6. Sri Rameshwar Singh Principal Secretary, Dept. Of Finance Govt. Of Bihar, Patna

.... Respondent/s

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH
ORAL JUDGMENT

Date: 11-03-2015

On behalf of State, it is stated that the Government has issued orders in the Department of Art, Culture and Youth absorbing the petitioners in the service of Bihar Research Society. Petitioners do not dispute this.

2 In my view, there being substantial compliance of order of this Court, no further proceedings can be carried out.

3 Learned counsel for the petitioners submits that the take over statute talks of adjustment and, therefore, it contemplates continuity of past service which has not been done.

4 In my view, in these proceedings for initiating contempt, it is beyond the jurisdiction of this Court to adjudicate upon these aspects of the matter.

5 However, it would be open to the petitioners to agitate their grievance in this regard before the appropriate authority/forum as they may be advised.

6 These proceedings, thus, stand terminated.

(Navaniti Prasad Singh, J)

M.E.H./-

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