

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3891 of 2013

IN

Civil Writ Jurisdiction Case No. 9588 of 2012

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Rajendra Mishra, son of Nathun Mishra, resident of village - Shishamba, P.S.- Sakurabad, District – Jehanabad.

.... Petitioner.

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat Building, Bailey Road, Patna - 800 001, namely, Mr. Amarjeet Sinha.
2. Mr. Ram Bujhawan Choudhary, the Director, Secondary Education, Government of Bihar, New Secretariat Building, Patna.
3. Bihar School Examination Board, through its Secretary, Budh Marg, Patna.
4. Mr. Lalan Jha, the Secretary, Bihar School Examination Board, Budh Marg, Patna.
5. Mr Sheo Shankar Singh, the Principal Magadh Inter College, Securbad, District – Jehanabad.
6. The Governing Body, Magadh Inter College, Sekurabad, District – Jehanabad through its Secretary, Mr. Ram Sharan Singh.
7. Mr. Ram Sharan Singh, the Secretary Magadh Inter College, Securabad, District Jehanabad.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Verma, Advocate.
For the State : Mrs. Abhanjalli, AC to GP-16.
For the Opposite Party No.4 : Mr. Binod Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 02-03-2015

Heard learned counsel for the petitioner and learned AC to GP-16, appearing on behalf of the State as also the learned counsel appearing on behalf of the opposite party no.4.

2. The present contempt application has been filed on behalf of the petitioner asserting the non compliance of the order dated 15.05.2012 passed in C.W.J.C. No.9588 of 2012, which was



disposed of with liberty to the petitioner to file representation before the Director, Secondary Education raising his grievance who shall get an enquiry held with regard to the fund being utilized by the College and shall thereafter pass appropriate orders in accordance with law, preferably within a period of three months from the date of receipt/production of a copy of this order.

3. Learned AC to GP-16, appearing on behalf of the State, submits that in the light of the order dated 15.05.2012 passed in C.W.J.C. No.9588 of 2012, which is under contempt, the representation of the petitioner was disposed of vide Memo No.135 dated 28.01.2015 by the opposite party no.2, the Director, Secondary Education, Government of Bihar, New Secretariat Building, Patna, which would appear from paragraph-5 to the supplementary show cause dated 04.02.2015 filed on behalf of the opposite party no.1. As such, the order under contempt has been complied with.

4. Learned counsel appearing on behalf of the petitioner submits that while in compliance of the order under contempt the representation of the petitioner has been disposed of but the claim of the petitioner has illegally been refused by the concerned opposite party(s).

5. Since in the light of the order under contempt, the representation of the petitioner has been disposed of vide Memo

No.135 dated 28.01.2015 by the opposite party no.2, the Director, Secondary Education, Government of Bihar, New Secretariat Building, Patna, which appears from paragraph-5 to the supplementary show cause filed on behalf of the opposite party no.1, no further action is required to be taken against the concerned opposite party(s). Accordingly, this application stands disposed of. However, if the petitioner has any grievance, he may take recourse before the appropriate forum in accordance with law.

(Rajendra Kumar Mishra, J)

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