

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2115 of 2005

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Shiksha Bachao Manch, Bhagalpur, through its President (Prof.) Dr. Ramjee Singh, son of Late Kherhi Singh, Ex-Member of Parliament, Bhagalpur, President of Bihar Sarvodaya Mandal, Patna, resident of Mohalla-Bhikhanpur, P.S. Kotwali, District- Bhagalpur

.... Petitioner

Versus

1. The State of Bihar
2. Mr. G.S. Kang, son of not known Chief Secretary, Govt. of Bihar
3. Mr. Ashok Kumar, s/o not known, the Secretary & Commissioner, Department of Industries, Govt. of Bihar, Patna.
4. Sri Pankaj Kumar, Director, Handloom and Sericulture, Govt. of Bihar, Patna.
5. Dr. Ashok Kumar Singh alias Dr. P. Ashok, Principal, Bihar Institute of Silk & Textiles, Nathnagar, Bhagalpur.
6. Sri Bipin Kumar, District Magistrate, Bhagalpur

....Opposite Parties

Appearance

For the Petitioner:- Mr.Praveen Kumar

For the State:- Mr. Dhirendra Kumar, A.C. to AAG-10

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

7 01-07-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has filed the present contempt application alleging willful violation of the order dated 25.04.2005 passed in C.W.J.C. No.15902 of 2004.

By the aforesaid order, the State Government was directed to start teaching job in the Bihar Institute of Silk & Textiles, Nathnagar from July, 2005 and further the District Magistrate, Bhagalpur was directed to remove the encroachments from the premises of the said Institute.



In the different show-causes and supplementary show causes filed on behalf of the opposite parties, it is ultimately stated that the encroachments have been removed and the two years vocational course in Silk Technology was started from the year 2005 itself and in each session maximum 20 students are admitted and for the current session 2014-2016 students have participated in the examination.

It is also pointed out that the said vocational course has been recognized by the Bihar School Examination Board (Higher Secondary), which conducts the examination process and publishes the results.

It is further stated that the Department of Education, Government of Bihar by notification dated 16.1.2015 has granted conditional affiliation for the proposed technical course of the Institute under the Aryabhat Knowledge University, which would be operational upon recognition and no objection by the Central Government.

The further stand is that the Institute has already applied before the All India Council for Technical Education vide application dated 18.01.2015 which is under process.

Learned counsel for the petitioner submits that no technology teaching is being undertaken in the said Institute, as it does not even have properly qualified Teacher, Lab Assistant,

Technician, etc.

Be that as it may, so far as the order under contempt dated 25.4.2005 is concerned, it appears that there is no willful disobedience of the same.

In the aforesaid facts and circumstances, the contempt application is dismissed.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Anjana Mishra, J)

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