

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2873 of 2014

In
LPA 1664 of 2013

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Sri Baiju Rai, S/o - Sri Ram Parichhan Rai At + P.O. - Morsand, P.S. - Pusa, Dist. - Samastipur, At present - Working as Trained Graduate Teacher, at M.S. Malikaur Pusa, Samastipur, Dist. - Samastipur.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna, namely Mr. R.K. Mahajan, I.A.S.
2. The Director, Primary Education Department, Govt. of Bihar, Patna, namely Mr. M. Sarvanan, I.A.S.
3. The Regional Deputy Director of Education, Darbhanga Division at Darbhanga, namely Sri Krishna Kumar Sharma.
4. The District Education Officer, District - Samastipur, namely Mr. Jaichand Srivastav.
5. The District Program Officer (Establishment), District - Samastipur, Namely Mr. Awdhesh Singh.

.... Opposite Parties.

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with

Miscellaneous Jurisdiction Case No.2926 of 2014
IN
LPA 1459 of 2013

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Ramakant Yadav Son of Jailal Rai, R/O Village-
Deopur Parsa, P.O.- Parsuni Wazid, P.S.-
Kalyanpur, District- East Champaran, PIN-
845401, Presently posted as Assistant Teacher,
Primary School UMS Surajpur Colony, Pipara
Kothi, District- East Champaran.

. . . . Petitioner/Appellant.



Versus

1. The State of Bihar through Sri R.K. Mahajan, the Principal Secretary, Education Department, Government of Bihar, Patna.
2. Sri Sarwanan M, the Director, Primary Education Department, Government of Bihar, Patna.
3. Sri Ramsarnagat Singh, Joint Director, Primary Education Department, Government of Bihar, Patna.
4. Dr. Binodanand Jha, the District Education Officer, East Champaran.
5. Sri Bhusan Kumar, the District Programme Officer (Establishment), East Champaran.
6. Sri Abhay Kumar Singh, the District Magistrate, East Champaran.
7. Sri Chandeshwar Prasad Singh, D.D.O. Pipra Kothi, East Champaran.

. . . . Opposite Parties.

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Appearance :

For the Petitioners : Mr. Avanindra Kumar Jha, Advocate

For the Opposite Parties : Mr. Mani Kant Mishra, Advocate.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

3 15-01-2015

Heard learned counsel for the

petitioners and the State.

2. These contempt applications have been filed asserting that the State-respondents have not taken the corrective measures, as was directed under order dated 03.01.2014 passed in L.P.A. No. 1459 of 2013 and other connected matters by giving the appellant(s) and the petitioners of the writ petition the benefit of the order passed by the High Court in the case of Chandrakant and others Vs. State of Bihar 2010 (4) PLJR 732.

3. By filing show-cause in the case of Ramakant Yadav, appellant in L.P.A. No. 1459 of 2013, State-respondents have placed on record resolution of the Government bearing Memo No. 12 dated 05.01.2015, whereunder the same benefit which was allowed to Ramakant i.e. the Matric Trained Scale with effect from 05.09.1999 but the financial benefit from 01.10.2003 has also been allowed to the present appellant as also others.

4. In the circumstances, we are not inclined to proceed further with the contempt applications. Contempt petitioners or any other



person, if aggrieved by Resolution dated 05.01.2015 or the earlier order dated 12.02.2014 passed by Director, Primary Education, Bihar, Patna, he is at liberty to challenge both the order dated 12.02.2014 and Resolution dated 05.01.2015.

5. With the said observation, the contempt applications are disposed of.

(V.N. Sinha, J)

(Rajendra Kumar Mishra, J)

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