

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1356 of 2014

In

Civil Writ Jurisdiction Case No. 730 of 2007

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Chhotan Kumar Son of Late Bundela Rai Resdent of at present residing
Near Ramesh Printing Press, Mithapur, Police Station - Jakkanpur, District
– Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sr. N. Sarwan, The District Magistrate, Patna
3. Sri. Kamlesh Kumar, The District Program officer, Establishment (the
successor District Superintendent of Education, Patna)
4. Sri Usha Kumari, The Block Education Extension officer, Dhanarua,
District, Patna .

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Adv

For the Respondent/s : Mr. Pushkar Narain Shahi, AAG-10

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

2 23-06-2015 Heard learned counsel for the parties.

Having regard to the fact that the departmental proceeding as directed in the order of this Court dated 21.07.2011 in C.W.J.C No. 730 of 2007, has been disposed of by order dated 23.05.2014, as contained in Annexure-A, this Court would find that there is substantial compliance but not full compliance of the aforesaid order, inasmuch as, such departmental proceeding has to be disposed of within a period of six months, whereas it has taken almost three years for the

respondents to dispose of the departmental proceeding. There is no explanation whatsoever for such delay in concluding the departmental proceeding and Mr. Roy seems to be correct that the departmental proceeding by way of final order has been concluded, only after receipt of the copy of this contempt application, which was filed on 01.04.2015.

In that view of the matter, while this contempt application is disposed of but then the District Programme officer (Establishment), Patna is subjected to cost of Rs. 2500/- to be paid by him to the petitioner within a period of one month from the date of receipt of this order.

With the aforementioned observation and direction, this application is disposed of with a liberty to the petitioner to assail the order passed by the authority before the competent appellate authority/Forum/Court.

(Mihir Kumar Jha, J)

Ranjan/-

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