

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3960 of 2013

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1. PUNAM KUMARI WIFE OF SANJAY KUMAR GUPTA RESIDENT OF VILLAGE+ POST OFFICE- SUPAUL, POLICE STATION- PATORI, DISTRICT- SAMASTIPUR.
2. CHANCHALA KUMARI WIFE OF SANJAY KUMAR NIRALA RESIDENT OF VILLAGE- DHAMAUN, POLICE STATION- PATORI, DISTRICT- SAMASTIPUR.
3. ABHA KUMARI WIFE OF SANJAY KUMAR NIRALA RESIDENT OF VILLAGE- DHAMAUN, POLICE STATION- PATORI, DISTRICT- SAMASTIPUR.
4. DHARMENDRA KUMARI RAI SON OF SAKALDEO RAI RESIDENT OF VILLAGE SIRDILPUR, POST OFFICE+ POLICE STATION- PATORI, DISTRICT- SAMASTIPUR

.... PETITIONER/S

VERSUS

1. THE STATE OF BIHAR THROUGH THE STATE PROJECT DIRECTOR, BIHAR EDUCATION PROJECT COUNCIL, BELTRON BHAWAN, SHASTRINAGAR, PATNA NAMELY SRI RAHUL SINGH
2. THE DISTRICT MAGISTRATE, SAMASTIPUR NAMELY SRI NAVIN CHANDRA JHA
3. THE D.S.E-CUM DISTRICT PROGRAMME COORDINATOR, BIHAR EDUCATION PROJECT, SAMASTIPUR NAMELY SRI SANJAY KUMAR
4. THE B.E.O-CUM- PRAKHAND PROGRAMME COORDINATOR BIHAR EDUCATION PROJECT, PATORI, DISTRICT SAMASTIPUR NAMELY SRI SATENDRA KUMAR
5. THE B.D.O., PATORI, DISTRICT SAMASTIPUR NAMELY SRI BRIJ KISHORE SINGH
6. THE HEADMASTER-CUM- SANCHALAK, KASTURBA GANDHI BALIKA AWASIYA VIDYALAYA, USHRAHA, PATORI, DISTRICT- SAMASTIPUR NAMELY SRI MANOJ KUMAR.
7. THE SECRETARY, VIDYALAYA SIKSHA SAMITI, KASTURBA GANDHI BALIKA AWASIYA VIDYALAYA, USHRAHA, PATORI, DISTRICT- SAMASTIPUR NAMELY SMT. RINA DEVI

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. SHAILENDRA KUMAR SINGH
For the Respondent/s : Mr. DHURJATI KR PRASAD

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT

Date: 12-02-2015

Learned counsel for the petitioners and learned

counsel for the State are present.

The present contempt application has been filed for noncompliance of the order dated 16.02.2012 passed in C.W.J.C. No. 3104 of 2012, whereunder the District Superintendent of Education-cum-District Program Co-ordinator, Bihar Education Project, Samastipur (opposite party no. 3) was directed to see to it that all arrears of admissible salary of the petitioners, as may be due to them in accordance with law is paid to them positively within two months from the date of receipt/production of a copy of this order.

Learned counsel for the State submits that in the light of the order under contempt, the District Superintendent of Education-cum-District Program Co-ordinator, Bihar Education Project, Samastipur (opposite party no. 3) has disposed of the representation of the petitioners on 02.05.2014 arising at conclusion that services of the petitioners have been terminated and the honorarium has already been paid to the petitioners till November, 2009 and there is no due to honorarium which is to be paid to them, which would appears from Annexure E to the show cause filed on behalf of the opposite party no. 3.

Learned counsel for the petitioners submits that the petitioners are still in service but their honorariums have not been

paid after November, 2009.

Since the order, under contempt, has been complied by the opposite party no. 3, therefore, no action is required. If the petitioners fee any grievance, they may take recourse in accordance with law before the appropriate forum. Accordingly, this contempt application is disposed of.

(Rajendra Kumar Mishra, J)

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