

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2365 of 2013

IN

Civil Writ Jurisdiction Case No. 15076 of 2012

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1. Md. Khattab Khan, S/o Md. Aquil Khan, Resident of Mohalla- Kabirpur, P.O And P.S- Nathnagar, District- Bhagalpur.
 2. The Managing Committee of Madarsa Islamia Khairuloom, Chiraya, At And P.O- Chiraya, P.S- Amarpur, District- Banka, Through Its Secretary, Naushad Khan S/o Zainul Khan Resident Of Village- Sangrampur, P.O- Logain, P.S- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar
2. Luxman Singh, The Special Director Secondary, Human Resources Development Department, Bihar, Patna.
3. Mr. Jyoti Kumar, District Education, Officer, Banka.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 19-02-2015

The present contempt application is filed for non-compliance of the order dated 01.10.2012 passed in C.W.J.C. No. 15076 of 2012 whereunder the aforesaid writ application of the petitioner was disposed of with direction to the District Education Officer to examine the grievances of the petitioner and pass a reasoned and speaking order both with regard to fixation of salary and payment of legitimate dues for duties discharged in accordance with law within a maximum period of two months from the date of receipt/production of a copy of this order.

Learned AC to GP-1 submits that in the light of the order of the writ Court passed in C.W.J.C. No. 15076 of 2012, the

representation of the petitioner has already been decided by the District Education Officer, Banka refusing his claim on the basis of the Memo No.4372-75 dated 21.06.2013 issued by the Bihar State Madrasa Education Board, Patna. As such, the order under contempt is complied.

On the other hand, learned counsel appearing on behalf of the petitioner submits that it is held in C.W.J.C. No. 15076 of 2012 that there is no need of approval of the Madrasa Board and hence, the order is illegal.

In view of the above submission, since the order under contempt is complied by the opposite party, the contempt application is disposed of. If the petitioner feels grievance, he may take legal recourse in accordance with law.

(Rajendra Kumar Mishra, J.)

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