

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4674 of 2013

In

Civil Writ Jurisdiction Case No. 4192 of 2005

- =====
1. Baidya Nath Ram , son of Sakalu Ram, resident of village- Lodipur, P.O. & P.S. Garaul, District- Vaishali at Hajipur
 2. Rajendra Choudhary, son of Late Bal Chandra Choudhary, resident of village- Yusufpur (Chauhappa), P.O. & P.S. Hajipur, District- Vaishali
- Petitioners

Versus

1. The State of Bihar through the Collector, Vaishali, namely, Sri Jitendra Shrivastava
 2. Sri Ajay Kumar Choudhary, the Director, Primary Education, Bihar, Patna
 3. Smt. Sanghmitra Verma, the District Programme Officer (Establishment), Vaishali
 4. Sri Shashibhushan Roy, the District Education Officer, Vaishali
- Opp.Parties.
- =====

Appearance :

For the Petitioner/s : Mr. Ratan Kumar Sinha
For the Respondent/s : Mr. AC to GA-1

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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7 21-01-2015 Heard learned counsel for the petitioners and learned
AC to GA-1.

The present petition has been filed in the month of September 2013 with a prayer to initiate contempt proceeding against Opp.Parties on an allegation of wilful disobedience to an order, which was passed long back on 28.05.2007 in C.W.J.C.No.4192 of 2005. By the said order, the writ petition was disposed of on the submission made by learned counsel for the petitioners that petitioners shall be filing a fresh representation before the District Superintendent of Education, Vaishali

regarding their grievances. Though the order was passed in the year 2007, no plausible explanation has been given for approaching this Court after such a long time. In normal course, under Section 20 of the Contempt of Courts Act, after expiry of one year such petition may not be entertained. Moreover, in this case, a show cause has been filed on behalf of Opp.Party no.3 and an order, which has been passed belatedly, has been brought on record vide Annexure-A to the show cause . Learned counsel for the petitioner tried to persuade the Court that there are apparent error in the order i.e. Annexure-A to the show cause.

The Court, while exercising contempt jurisdiction, may not examine the correctness of the order passed by the authority concerned, which has been passed in compliance with the order of the court, of course belatedly.

I do not find any ground to proceed with the matter. The petition stands disposed of. If the petitioners feel aggrieved with the order i.e. Annexure-A to the show cause, they would be at liberty to assail the same in appropriate proceeding.

With above observation and liberty, the petition stands disposed of.

(Rakesh Kumar, J)

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