

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4361 of 2013

In

Civil Writ Jurisdiction Case No. 18926 of 2008

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Krishanwati Devi W/O Sri Shashi Bhushan Jha Resident Of Village-
Bishnupur Jasparha, Police Station- Tesiatta, District- Vaishali At Hajipur.

.... Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Department, Government Of Bihar, Patna Through Amarjeet Sinha.
3. The Secretary, Human Resource Department, Government Of Bihar, Patna. Through Amarjeet Sinha In Charge.
4. The Director, Primary Education, Government Of Bihar, Patna Through Ajay Kumar Chaudhary
5. The District Magistrate, Vaishali, District- Vaishali Through Shree Jitendra Shrivastav.
6. That Additional Collector, Vaishali, District- Vaishali Through Shree Uma Shankar Prasad.
7. The District Superintendent Of Education Cum District Programme Officer (Establishment), Vaishali, District- Vaishali Through Sanghmitra Verma.
8. The Sub- Divisional Officer, Vaishali District- Vaishali Through Dr. Chandra Shekhar Singh.
9. The Block Education Extension Officer, Hajipur (West), District- Vaishali Through Shree Nabnath Mishra.

.... Opp.Parties

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Respondent/s : Mr. Rakesh Kr Samrendra

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 15-01-2015 Heard learned counsel for the parties.

Having regard to the fact that the opposite parties have considered the case of the petitioner and have passed a reasoned order whereby and whereunder the petitioner has been found entitled for payment of salary for the period October, 2006 to 31.7.2007 but has been denied salary for the period 1.8.2007 to



31.7.2008, this Court now in contempt jurisdiction cannot hold the aforementioned order to be bad much less in violation of the direction given by this Court. As a matter of fact the petitioner could not have even claimed such continuation beyond the period of 1.8.2007 because the school in which she claims to have been deputed was itself closed or became non-functional and therefore, the petitioner alike Bharti Singh ought to have returned back to her parent school.

In that view of the matter, if the opposite parties have been considerate and sympathetic to her to condone her absence by granting no work no pay, that should have been accepted gracefully by the petitioner.

Be that as it may, there cannot be any reason for this Court to initiate a proceeding of contempt when the opposite parties have already complied the directions given in the order of this Court in the connected writ application.

The only thing that this Court can say that if the authorities have found in the order dated 22.7.2014 as with regard to the petitioner being entitled for payment of salary for the period October, 2006 to 31.7.2007 the payment of such amount of salary of the petitioner should have been ensured by the competent authority.

This Court, therefore, would direct the District Programme Officer (Establishment), Vaishali to take all possible steps to ensure that the payment of salary of the period October, 2006 to 31.7.2007 is paid to the petitioner within a period of three months from the date of receipt of this order.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

surendra/-

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