

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4677 of 2013

IN

Civil Writ Jurisdiction Case No. 11749 of 2012

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Sangeeta Kumari, D/o Shri Bhagwat Pd. Mandal, R/o Village Rahua, P.O. Sabaila,
P.S. Saur Bazar, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through Mr. Amarjeet Sinha, the Principal Secretary,
Education Department, Vikas Bhawan, Patna.
2. Mr. Ajay Kumar Choudhary, the Director, Primary Education, Bihar, Patna.
3. Mr. Ram Sarnagat Singh, the Joint Secretary, Education Department, Bihar,
Patna.
4. Mr. Satendra Bhushan, the District Education Officer, Purnea, District Purnea.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 12-03-2015

The present contempt application is filed asserting
the non-compliance of order dated 16.04.2009 passed in C.W.J.C. No.
4802 of 2009 with other analogous writ applications, whereunder the
writ application was disposed of with the following observations:

“If the respondents do not wish to consider
persons with qualification like the petitioners in
the second phase of the appointment, they shall be
required to pass a reasoned and speaking order
dealing with the issues of the qualification of the
petitioners of two years training course from an
institution prior to coming into force of the NCE
Act, whose qualifications are recognized by the
Government of India for appointment to post and
services and the Central Government. If the

respondents propose to deny such consideration to the petitioners, they shall be obliged to inform the reasons why such appointment is to be denied and provide opportunity to the petitioner to meet the same and thereafter the respondents may pass a reasoned and speaking order.”

Learned A.C. to G.P. VIII submits that in compliance of the order of the writ Court, which is under contempt, opposite party no.2, The Director Education, Bihar, Patna passed the reasoned order dated 24.02.2005 vide Memo No. 203 refusing the claim of the petitioner with finding that the certificate issued by Gandhi Hindi Vidyapeeth, Prayag (U.P) is not valid for employment to the post of Teacher, which would appear from Annexure-A to the show cause filed on behalf of opposite party no.2 on 27.02.2015.

In view of the above submission, since the order of the writ Court, which is under contempt, is complied by the opposite party no.2, no further action is required to be given. Accordingly, the present contempt application is disposed of.

However, if the petitioner feels aggrieved, he may take legal recourse in accordance with law.

(Rajendra Kumar Mishra, J.)

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