

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.789 of 2015**

**In**  
**LPA 745 of 2013**

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Ashutosh Pandey Son Of Shri Rajdeo Pandey, R/O Village - Fatehabad,  
P.O. - Fatehabad, P.S. - Paroo, District - Muzaffarpur

.... .... Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Vikas Bhawan, Patna
2. Sri R.K. Mahajan, the Principal Secretary, Human Resources Development Department, Vikas Bhawan, Patna
3. Sri Ram Bujhawan Choudhary, The Director, Secondary Education, Bihar Human Resources Development Department, Vikash Bhawan, Patna
4. Smt. Bimla Kumari, the Regional Deputy Director of Education, Muzaffarpur
5. Sri Ganesh Datt Jha, the District Education Officer, Muzaffarpur
6. Zila Parishad, Muzaffarpur through its Chairma n
7. The Appellate Authority (Retired Judicial Officer) Zila School Campus, Muzaffarpur, District - Muzaffarpur

.... .... Opp.Parties

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**Appearance :**

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate  
For the State : Mr. Alok Ranjan, AC to GA13

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**CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA**  
**and**  
**HONOURABLE MR. JUSTICE RAMESH KUMAR**  
**DATTA**

ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)**

3      17-03-2016                      A Division Bench of this Court on 19<sup>th</sup> December, 2013 directed the respondents to consider the case of the appellant, i.e., the present Petitioner in terms of the discussions in the order, the findings of the Tribunal and their own policy dated 05.01.2007.

The petitioner is a physically handicapped

candidate. One post was reserved either for ophthalmic handicapped, or for deaf and dumb or for a candidate belonging to physically disabled category, but the ophthalmic disabled candidate with higher marks has been selected.

In terms of the direction issued, the claim of the petitioner has been considered and declined on 28<sup>th</sup> of November, 2015. Since the claim of the petitioner has been considered and declined, we do not find that any case for initiating contempt proceedings for willful disobedience of the order of this Court is made out.

The contempt petition is, accordingly, dismissed.

It shall be open to the petitioner to avail such other remedy as is available to him against the order dated 28<sup>th</sup> November, 2015 in accordance with law.

**(Hemant Gupta, J)**

S.Pandey/-

**(Ramesh Kumar Datta, J)**

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