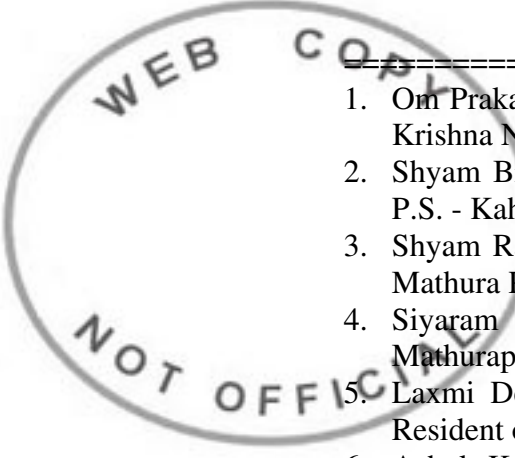


IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1181 of 2015

IN

Civil Writ Jurisdiction Case No. 9534 of 2012

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1. Om Prakash Choudhary son of Mahendra Prasad Choudhry, Resident of Bal Krishna Nagar, Surakikal, P.S.- Tilka Manjhi, District- Bhagalpur.
 2. Shyam Bihari Gupta son of Late Kishun Prasad Gupta, resident of Birbanna, P.S. - Kahalgaon, District- Bhagalpur.
 3. Shyam Rabidas Son of Late Hari Charan Ravidas, Resident of Tikaluganj, Mathura Pur, P.S. - Kahalgaon, District – Bhagalpur
 4. Siyaram Rajak son of Badali Rajak, Resident of Nandlalpur, P.S. - Mathurapur, District- Bhagalpur.
 5. Laxmi Devi @ Laxmi Kumari Poddar Wife of Ravindra Charan Poddar, Resident of Village and P.S.- Akbargangar, District- Bhagalpur.
 6. Ashok Kumar son of Anil Kumar Chourasia, Resident of Pithdhauri, P.S.- Sultanganj, District - Bhagalpur
 7. Ajay Kumar Gupta son of Harihar Prasad Gupta, Resident of Village- Bhawanipur, P.S. Gopalpur, District- Bhagalpur.
 8. Ravindra Prasad Singh son of Girish Prasad Singh, Resident of Naya Tola , P.S.- Sahebganj, District- Sahebganj.
 9. Raj Kishor Sah son of Ambika Sah, resident of Mankandpur, P.S.- Gopalpur, District- Bhagalpur.
 10. Pramod Kumar Sah son of Late Sri Biro Sah, Resident of Mohalla - Jagaria, P.S.- Sakhund, District- Bhagalpur.
 11. Pravin Kumar son of Shankar Prasad Sah, resident of village and P.S.- Nath Nagar, District-Bhagalpur.
 12. Dilip Kumar son of Ramdas Mandal, resident of Mohalla and P.S.-Sakhund, District-Bhagalpur.
 13. Ganesh Rajak son of Podis Rajak, resident of Mohalla- and P.S.- Pirpainti, District-Bhagalpur.
 14. Sudhanshu Shekhar Tiwari son of Late Chandra Shekhar Trivedi, Resident of Mohalla and P.S.-Nath Nagar, District-Bhagalpur.
 15. Srikant Das son of Hriday Narayan Das, resident of Mohalla-Silhan, P.S.- Sanhoula, District-Bhagalpur.
 16. Inerdeo Narayan Jitendra son of Ram Prasad Singh, resident of Mirjan Haat, P.S.- Ishak Chak, District- Bhagalpur.
 17. Meena Rani Chand wife of Santosh Rajak Pal, Resident of village-Surkhial, P.S.-Tilkamanjhi, District-Bhagalpur.
 18. Gopal Shankar Singh son of Laxmi Narayan Prasad Singh, Resident of Mohalla-Rampur, P.S.-Nathnagar, District- Bhagalpur.
 19. Sunil Kumar Thakur son of Gajadhar Thakur, Resident of Mohalla-Vikram Shila Colony, P.S.-Kotwali, District- Bhagalpur.
 20. Bibash Kumar son of Kailash Prasad Yadav, resident of village-Sri Rampur, P.O.-Akbaragar, P.S.- Akbaragar, District-Bhagalpur.
 21. Dr. Hari Shankar Prasad @ Hari Shankar Prasad son of Upendra Gope, Resident of Village-Sahebganj, P.S.- University, District-Bhagalpur.
 22. Akhilesh Kumar Singh son of Janardan Prasad Singh, Resident of Mohalla- Aliganj, P.S.-Aliganj, District-Bhagalpur.
 23. Manoj Kumar Sinha son of Bisheshwar Prasad, Resident of Village-Barahiya, P.S.-Kahalgaon, District-Bhagalpur.
 24. Bipin Bihari Singh son of Laxman Singh, Resident of Sanokhar, P.S.-Sanhoula,

District-Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar
2. Mr. R.K. Mahajan, the then Principal Secretary, Education Department, Government of Bihar, Patna.
3. Mr. Sridhar Bhelu, the then Director, Primary Education, Government of Bihar, Patna.
4. Mr. Dhurendra Sharni, Regional Deputy Director of Education, Bhagalpur Division, District-Bhagalpur.
5. Mr. Phool Babu Choudhary, the then District Education Officer, Bhagalpur, District-Bhagalpur.
6. Mr. Jyoti Kumar, the District Programme Officer (Establishment), Bhagalpur, District- Bhagalpur.
7. Mr. Phool Babu Choudhary, the District Primary Teachers Promotion Committee, through its Chairman, the District Education Officer, Bhagalpur, District-Bhagalpur.

.... Opposite Parties

With

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Miscellaneous Jurisdiction Case No. 3180 of 2015

IN

Civil Writ Jurisdiction Case No. 9534 of 2012

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1. Dayanand Paswan, S/o Sone Lal Paswan, R/o village Surkhi Kal, P.S. Tilkamanjhi, District Bhagalpur at present posted as Headmaster in Rajkiya Mukti Middle School, Tilkamanjhi (Nagar Nigam), Bhagalpur.
2. Kumari Anju Bala, W/o Dev Narayan Paswan, R/o- Bikramshila Colony, P.S.- Kotwali, District Bhagalpur at present posted as Headmaster in Middle School, Ishakchak (Nagar Nigam), Bhagalpur.
3. Ajay Kumar, S/o Late Anandi Pandit, R/o village + P.S. –Kharangpur, District Munger at present posted as Headmaster in Middle School, Mirachak, Sabour, District Bhagalpur.
4. Lakhan Lal Ravidas, S/o Karpuri Ravidas, R/o village + P.S. Bagachaia, District Bhagalpur at present posted as Headmaster in Middle School, Milky Naugachia, District Bhagalpur.
5. Manjushree Choudhary, W/o Vijay Kumar Choudhary, R/o village – Mirjan Hat, P.S. Habibpur, District Bhagalpur at present posted as Headmaster in Bihari Girl's Middle School, Mirjan Hat (Nagar Nigam), District Bhagalpur.
6. Shatrughan Das, S/o Pucha Das, R/o village + P.S.- Ishachak, District Bhagalpur at present posted as Headmaster in Middle School, Ramchandrapur, Goradih, District Bhagalpur.
7. Laxmi Kumari Poddar, W/o Ravindra Charan Poddar, R/o village + P.S. Akbar Nagar, District Bhagalpur at present posted as Headmistress in Middle School, Murarpur, Sultanganj, District Bhagalpur.
8. Taiba Khanam @ Tabia Khanam, W/o Baduraduja Khan, R/o village Bhikhanpura, Gumti No.3, P.S. Ishachak, District Bhagalpur at present posted as Headmistress in Urdu Middle School, Barepura Kanya, District Bhagalpur.
9. Mahalka Bano, W/o Khurshid Alam Khan, R/o village Bhikhanpura, P.S. Ishachak, District Bhagalpur at present posted as Headmistress in Urdu Middle School, Sherpura Balak, District Bhagalpur.
10. Kaushalya Kumari, W/o Ram Kumar, residing at Housing Colony, P.S. Barari, District Bhagalpur at present posted as Headmistress in Bhawani Girls Middle

School, Khanjarpur, District Bhagalpur

11. Amresh Mohan Ghosh, S/o Late Surendra Mohan Ghosh, R/o village + P.S.- Nath Nagar, District Bhagalpur at present posted as Headmaster in Ramvati Girls Middle School, Rampur, Nathnagar, District Bhagalpur.
12. Kumar Vivekanand, S/o Shree Mahanth Narayan Mahto, R/o village Shree Rampur, P.S. Akbar Nagar, District Bhagalpur, presently posted as Headmaster in Middle School, Fatehpur, Nathnagar, District Bhagalpur.
13. Kanhaiya Kumar Singh, S/o Shri Ram Naresh Singh, R/o Mohalla- Kila Ghat Road, P.S. University, District Bhagalpur, presently posted as Headmaster in Middle School, Ganaura, Badarpur, Nath Nagar, District Bhagalpur.
14. B. Kamini, W/o Late Istiyak Ansari, R/o village Champa Nagar, P.S. Nathnagar, District Bhagalpur presently posted as Headmistress in Urdu Middle School, Champanagar (Nagar Nigam), District Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar
2. Sri R.K. Mahajan, Principal Secretary, Education Department, Government of Bihar, Patna.
3. Sri Sridhar C., Director, Education Department, Government of Bihar, Patna.
4. Sri Radhe Prasad, Regional Deputy Director of Education, Bhagalpur Division, Bhagalpur.
5. Mr. Ful Babu Choudhary, the District Education Officer, Bhagalpur, District- Bhagalpur.
6. Mr. Jyoti Kumar, District Programme Officer (Establishment), Bhagalpur, District- Bhagalpur.
7. Shri Ful Babu Choudhary, the District Primary Teachers' Promotion Committee, through its Chairman, the District Education Officer, Bhagalpur, District-Bhagalpur.

....Opposite Parties

Appearance :

(In MJC No. 1181 of 2015)

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate

For the Respondent/s : Mr. Anil Kumar Sinha, G.A.-9

Mr. Amaresh Kumar Sinha, Advocate

(In MJC No. 3180 of 2015)

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Advocate

For the Respondent/s : Mr. Anil Kumar Sinha, G.A.-9

Mr. Amaresh Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 13-01-2016

Upon perusal of the materials on record and the show cause reply filed on behalf of the opposite parties as well as the submissions advanced on their behalf, I am of the considered view

that this Court's order dated 23.07.2014, violation of which has been complained of, in the present contempt proceedings, has substantially been complied with.

Certain grievances have been made on behalf of the petitioners that the implementation of this Court's order is not in correct perspective and against the requirements of statutory provisions. Such grievances cannot be gone into in the present contempt proceedings inasmuch as I do not find any willful disobedience of the said order of this Court.

It goes without saying that the petitioners shall be at liberty to approach appropriate forum raising their grievances against the decision of the Teachers' Promotion Committee, if the same has gone against their interest.

I.A. Nos. 9726 of 2015 and 9752 of 2015 seeking intervention in the present case stand disposed of with similar liberty.

These petitions are, accordingly, disposed of.

(Chakradhari Sharan Singh, J)

Vats/-

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