

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.3084 of 2000**

=====

Gajendra Kumar Dwivedee, Son of Sri Jiva Bodhan Dwivedee, resident of village Patneshi, P.O. Matiyara Jagdish (via lar), P.S. – Lar District Devariya (U.P.)

.... .... Petitioner

Versus

1. The State of Bihar
2. Sri Kumar Gauri Shankar Sinha, the Special Director, Secondary Education, Human Resources Development Department, Government of Bihar, Patna-cum-the Chairman Bihar Sanskrit Shiksha Board, Patna.
3. Sri Dhananjay Kumar, the Secretary, Bihar Sanskrit Shiksha Board, Patna.

.... .... Respondents

=====

**Appearance :**

For the Petitioner/s : None  
For the State : Mr. Mujtabaul Haque, G.P.12  
Mr. Shakib Ayoze, AC to G.P.12

=====

**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH**

**And**

**HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)**

**Date: 30-08-2016**

No one appears on behalf of the petitioner.

Learned counsel for the State is present.

Several writ petitions were filed in relation to Sanskrit Schools which were taken over by the State Government pursuant to the ordinance issued in this regard. In all, there were 429 schools that were taken over. The writ petition was filed for payment of salary of the employees of the aforesaid schools. The High Court directed that,

notwithstanding lapse of the ordinance, State would be liable to pay salary to the teachers of the said Sanskrit Schools. The matter was before the Supreme Court which also passed certain directions of payment of salary to the petitioners. The matter is still pending before the Supreme Court.

This contempt application was filed on the ground that, notwithstanding orders of the High Court and the Supreme Court, the payment of salary to the petitioners was not being paid.

A show cause has been filed on behalf of the Department stating that, upon inquiry, it was found that the school, in which the petitioner worked, was within the 429 schools that were taken over by the State Government, but there were grave doubts about its genuineness, there were eighty six (86) such schools and they were being enquired into. It was further stated that, so far as the petitioner is concerned, the Sanskrit Shiksha Board that approved his appointment only for a period of three months on *ad hoc* basis. His appointment was not in accordance with the procedure for making regular appointment. It is under those circumstances, payments were not being made to the petitioner. There is no rejoinder produced on record.

In view of the show cause as filed and noticed above, in our opinion, there is no cause to initiate any contempt proceedings.

This application is, accordingly, dismissed.

**(Navaniti Prasad Singh, J.)**

**(Nilu Agrawal, J.)**

Rajeev/N.A.F.R.

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|