

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1083 of 2014**

**In**  
**LPA 985 of 1996**

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1. Pashupati Nath Sharma S/O - Sri Bisheshwar Sharma Resident of Village  
AND Post - Safapur, P.S. Nayagaon, District - Begusarai, Presently  
Posted In Upgraded Middle School, Suja, Begusarai.

.... .... Petitioner

Versus

1. The State of Bihar
2. Amarjit Sinha S/O Not Known To the Petitioner the Principal Secretary,  
Department of Education, New Secretariat, Patna.
3. M.Sarwanan S/O Not Known To the Petitioner the Director (Primary  
Education), New Secretariat, Patna
4. Ranjit Prasad Narayan Sinha S/O Not Known To the Petitioner the  
Regional Deputy Director of Education, Munger Division, Munger.
5. Ratish Kumar Jha S/O Not Known to the Petitioner the District Education  
officer, Begusarai.
6. Ajay Kumar Pandey S/O Not Known To The Petitioner The District  
Programme officer (Establishment), Begusarai.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Amarendra Kumar

For the Respondent/s : Mr. Rajiv Kumar Singh, GP 2

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE NAVANITI PRASAD  
SINGH**

**and**

**HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH**

**ORAL ORDER**

**(Per: HONOURABLE THE ACTING CHIEF JUSTICE )**

3      14-01-2016                      Pursuant to the directions given by the order, dated  
  
07.01.2016,      Principal      Secretary,      Education      Department,  
  
Government of Bihar, is personally present in Court along with all  
  
relevant records and filed show cause.

Heard Mr. Amarendra Kumar, learned counsel appearing

for the petitioner, and Mr. Rajiv Kumar Singh, learned Government Pleader No.2.

Perused the show cause, filed by the Principal Secretary, Education Department, Government of Bihar.

The respondents/opposite parties have submitted that they have complied with the directions given by the order, dated 21.04.2009, passed, in L.P.A.No. 985 of 1996, by a Full Bench of this Court in respect of the districts in the State of Bihar except in respect of five districts, namely, Buxar, Arwal, Kishanganj, Samastipur and Begusarai. This apart, on a query made by this Court, Mr. Pawan Kumar, learned Assistant Counsel to Government Pleader No.2, has also submitted that in respect of the said five districts, necessary steps, as mandated by the order, dated 21.04.2009, aforementioned would also be taken and the entire exercise would be completed within a period of two months from today.

Having perused the reply, which has been filed by the respondents, and having heard the learned counsel for the respondents, we are of the view that there is no deliberate and willful disobedience of the directions given by the order, dated 21.04.2009. There was, indeed, negligence in carrying out effectively directions given by the Full Bench. We do not,

however, at this stage, propose to take any action against the respondents/opposite parties except making it clear that in event of their failure to comply with the exercise which has been undertaken in compliance of the directions given by the order, dated 21.04.2009, it shall remain open to the petitioner to seek initiation of a proceeding for contempt of this Court.

With the above observations and directions, these contempt proceedings are closed and shall accordingly dispose of.

**(I.A. Ansari, ACJ)**

**(Navaniti Prasad Singh, J)**

**(Chakradhari Sharan Singh, J)**

A.I./-

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