

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1018 of 2015

IN

Civil Writ Jurisdiction Case No. 16921 of 2011

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Sanjeev Kumar Singh. Son of Parmanand Singh. Resident of village - Sahjadpur,
Police Station - Udakishunganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar Through Mr. Anjani Kumar Singh, The Principal Secretary, Human Resource Development, Government of Bihar, Patna.
2. Mr. Gopal Meena, The District Magistrate-cum-Collector, Madhepura.
3. Mr. Belestin Hansda, The District Superintendent of Education, Madhepura.
4. Dharmdeb Neta, The Member District Teacher Appointment Authority, Madhepura.
5. Izhar Ahmad, The Block Development Officer, Udakishunganj, Madhepura.
6. Mohan Sharma, The Block Education Officer, Udakishunganj, Madhepura.
7. Ramawatar Sharma, The Mukhiya, Udakishunganj, Sahjadpur, Under Block - Udakishunganj, District - Madhepura.
8. Arun Kumar Singh, The Panchayat Secretary, Under Gram Panchayat - Sahjadpur, Under Block - Udakishunganj, District - Madhepura.
9. Rajesh Kumar. Son of Dayanand Singh. Resident of village - Sahjadpur, P.O.- Sahjadpur via - Alamnagar, P.S.- Udakishunganj, District - Madhepura. at present posted at Nav Srijit Prathmik Vidyalaya, Akhari, under block Udakishunganj, District - Madhepura.
10. Shiv Shankar Ray, the District Programme Officer, Madhepura, Dist. Madhepura.
11. Chairman, Bihar School Examination Board, Patna.

.... Respondent/Opp. Parties

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Respondent/s : Mr. Kundan Bhadur Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 05-10-2016

Heard learned counsel for the petitioner and counsel for
the State as also counsel for the Bihar School Examination Board.

In the present case, the petitioner has requested for
initiation of contempt proceeding for non-compliance of the order



dated 5.3.2014 passed in C.W.J.C. No. 16921 of 2011, whereby and whereunder, the Court had directed the concerned District Programme Officer to verify the certificate of the respondent no.9. But, the District Programme Officer did not complete the verification and, as such, prayer has been made to contempt proceeding against him.

In the middle of the proceedings, the Bihar School Examination Board has been added as opposite party. The Court directed the learned counsel for the petitioner to serve a copy of the contempt petition to the learned counsel for the Bihar School Examination Board. On the direction of this Court, they have made verification of certificate of the respondent no.9 and it has been stated that save and except C.B.I. enquiry with respect to whole bunch of result of Intermediate examination of Veer Kunwar Singh College, Patna is pending with respect to certificate of the respondent no.9 but, the marks mentioned in the certificate is completely correct.

Learned counsel for the petitioner submits that the letter of the District Programme Officer shows that the Board was requested to make enquiry of certificate of 16 persons and, out of that, the B.S.E.B. has only verified the certificate of respondent no.9.

In the writ application, only the respondent no.9 was made party and the rest persons were not there as a party to the proceeding. In the contempt proceedings, the scope cannot be

enlarged rather it is confined to the persons who were there in the original petition. So far as the certificate of other persons are concerned, this Court cannot give any opinion about them unless they are heard and give them fair hearing and so much so that a contempt proceeding has its own limitation, cannot be treated to be a writ proceedings.

In that view of the matter, this Court does not find any merit in the present contempt petition and the same is, accordingly, dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.10.2016
Transmission Date	