

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2271 of 2014

In
Civil Writ Jurisdiction Case No. 8872 of 2008

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Ashok Kumar, s/o Ram Narayan Mahato, resident of Mojampur, PS-Bahera, Dist- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Mr. Amarjeet Sinha, Principal Secretary, Human Resources Development, Patna Bihar.
3. Mr. Kumar Ravi, District Magistrate, Darbhanga
4. Sri Ram Sagar Singh, district Superintendent of Education, Darbhanga
5. Mr. Laxman Prasad, Block Development Officer, Banipur, Darbhanga
6. Mr. Shiv Kumar Sharma, Block Education Extension Officer Banipur, Darbhanga
7. Mr. Abdul Gaffar Mukhiya Gram Panchayat Haripur Prakhand, Banipur
8. Mr. Kamlesh Pd. Yadav, Panchayat Secretary Gram Panchayat, Haripur Prakhand Banipur Dist- Darbhanga
9. Abdul Haque Ashad, son of Maulana Abdul Hafiz, resident of Srirampur, PS-Bahera, Dist-Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Sharma

For the Respondent/s : Mr. Rewati Kant Suman, AC to SC-11

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 06-04-2017 Heard learned counsel for the petitioner as well as

learned counsel appearing on behalf of State.

Petitioner seeks compliance of order dated

07.05.2012 passed in CWJC no. 8872 of 2008.

Learned counsel for the petitioner submits that till

date, they have not appointed the petitioner as *Panchayat Teacher*.

However, after perusal of the show cause, it appears that there was

no positive direction save and except a direction by this Court that

after Sri Abdul Haque Ashad had been removed from the post of



Shiksha Mitra and Panchayat Teacher and a vacancy would arise and as such, a fresh selection process could be conducted in accordance with the Rules of 2006. In the said Rules of 2006, this Court had left it open for both the present petitioner Ashok Kumar and also Sri Abdul Haque Ashad (petitioner of CWJC no. 10350 of 2009) to participate in the selection process. Counsel for the State has filed a show cause stating that the process of selection has been set into motion but there is no clear averment either by the petitioner or by the State as to whether the present petitioner has been participating in the said selection process or not. If at all, the petitioner has participated, his case may be considered vis-à-vis with the other eligible candidates in accordance with law. However, as on date, since the selection process has already commenced, there is no case of contempt made out against the opposite parties.

Accordingly, this contempt application is dismissed.

(Anjana Mishra, J.)

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