

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3578 of 2016

In

Civil Writ Jurisdiction Case No. 11011 of 2016

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1. Sharda Kumari daughter of Shri Deomani Prasad, resident of Village-Gularbhoj, Police Station- Gadarur, District- Nainital (Udham Singh Nagar), Uttarkhand, at present posted and working as Block Education Officer, Marwan, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Mr. R. K. Mahajan, the Principal Secretary, Education Department, Government of Bihar, Patna.
2. Mr. M. Ramchandra Tudu, Director, Primary Education, Bihar, Patna.
3. Mr. Kapil Deo Prasad Yadav, the Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
4. Mr. Satyendra Nath Kanth, the District Education Officer, Muzaffarpur
5. Smt. Nita Pandey, the District Programme officer (Establishment), Muzaffarpur.
6. Mr. Amarendra Pandit, the Block Development Officer Marwan, District- Muzaffarpur.
7. Mr. Dinesh Safi, the District Education Officer, Begusarai
8. Mr. Dhananjay Upadhyay, the District Programme Officer (Establishment), Begusarai
9. Smt. Usha Kumari, the Hadmistress, Govt. Basic School, Ulao, District- Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra

For the Respondent/s : Mr. AAG 15 Ashutosh Ranjan Pandey
Mr Vinay Kumar Mishra, AC to AAG 15

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

4 09-02-2017

In the show cause filed on behalf of OP No.2 i.e.

Director, Primary Education, an order dated 28.12.2016 has been annexed as Annexure- A. In paragraph 7 of the said order, there is a very clear directive that by virtue of quashing of the order of transfer dated 30.6.2016, which was notification no.646, the status quo ante will be restored.



In the present contempt application the petitioner's counsel has drawn the attention of this Court to the kind of coercive orders and threats, which had been issued to her by the Block Development Officer, Marwan as well as the District Education Officer, Muzaffarpur, despite the said authorities having been informed of the order of the Court.

Without going into the controversies since a clear directive has been issued at the level of the Director, Primary Education, Government of Bihar to restore status quo ante, it is the duty and obligation of the Director to ensure that it is actually done, if not already done, forthwith by all the authorities under him in the field.

Contempt application stands disposed of. Petitioner will also derive benefit of the notification of the Director dated 28.12.2016, which is notification no.1161.

(Ajay Kumar Tripathi, J)

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