

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3312 of 2014

IN

Civil Writ Jurisdiction Case No. 15261 of 2008

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Alok Kumar, son of Late Birendra Narayan Singh, Resident of Mohalla- Rasulpur, Jilani, Majhulia Road, P.O.-G.P.O. Muzaffarpur, P.S.-Quazi Mohammadpur, Dist.-Muzaffarpur. recently posted as orderly (Peon), Dwarika Nath High School, Muzaffarpur, Dist-Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar
2. Sri R.K. Mahajan, Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
3. Sri Ram Bhujawan Choudhary, Director, Secondary Education, Govt. of Bihar, Patna
4. Sri Anupam Kumar, the District Magistrate-cum-Chairman, Dist.-Compassionate Committee, Muzaffarpur, Dist.-Muzaffarpur
5. Muztafa Hussain Mansuri, The District Education Officer, Muzaffarpur, Dist.-Muzaffarpur

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Rabindra Kumar Ravi, Adv.

For the Respondents : Mr. Amaresh Kumar Sinha, A.C. to G.A.-1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 22-05-2017

Heard learned counsel for the petitioner and learned counsel for the State.

In the present case, the petitioner has raised grievance that order passed in C.W.J.C. No.15261 of 2008 has not been complied with.

In the writ petition the petitioner has claimed that though the Compassionate Committee has recommended his appointment on class-III post, but in actuality he has been appointed



on class-IV post. This Court vide order dated 24.11.2011 has disposed of the said writ petition in the following terms:-

“Since in this case all the persons recommended by the Compassionate Committee and appointed thereafter are not before this Court, this Court is unable to go into the question of arbitrariness and discrimination. Hence, this Court disposes of the writ application with a direction to the authorities to look into the matter with due caution and uniformity and in consonance with letter and spirit of Article 14 of the Constitution of India.”

Learned counsel for the State has pointed out that Annexure-6 of the show-cause is the compliance of the order passed by this Court, whereby and whereunder the claim of the petitioner for appointment on class-III post has been rejected by a reasoned order.

In such view of the matter, there is no need to proceed further in the matter. Accordingly, this contempt proceeding is dropped. The petitioner, if so advise, may challenge the order in a appropriate proceeding.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
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Transmission Date	N/A.

