

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2759 of 2016

In
Civil Writ Jurisdiction Case No. 714 of 2014

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Anil Kumar Singh, son of Sri Raj Kumar Singh, resident of village-
Babhangama, P.O.-Babnangama, P.S.-Lakhisarai, District- Lakhisarai
(Bihar) (Acting Head Master, Middle School, Balgudar, Lakhisarai)

.... Petitioner

Versus

1. The State of Bihar, through Mr. R.K. Mahajan, Principal Secretary-cum-
Commissioner, Department of Human Resources, Government of Bihar,
Patna.
2. Mr. Shyam Babu Ram, (D.P.O.) District Programme Officer
(Establishment), Lakhisarai District.
3. Mr. Triloki Singh, District Education Officer, (D.E.O.), Lakhisarai
District.
4. Mr. Udai Kr. Singh, District Magistrate (D.M.) Lakhisarai.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Navin Kumar, Adv.

For the Respondent/s : Mr. Awanish Nandan Sinha, GP-21

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

8 07-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking initiation of
contempt proceeding against the opposite parties for violation of
the order dated 17.01.2014 passed in C.W.J.C. No.714 of 2014,
whereby the Court has passed the following order:-

“Heard learned counsel for the parties.

*Having regard to the fact that the grievance of the petitioner
is against the order dated 03.10.2012, whereby and
whereunder, certain decision has been taken for grant of
promotion in the graduate trained pay scale as also posting
on the post of headmaster and that the petitioner has already*



moved in appeal before the concerned RDDE, this Court would direct would direct the appellate authority to dispose of the appeal of the petitioner within a period of three months from the date of receipt of this order, if the same has not been disposed of as yet.

With the aforementioned observation and direction, this application is disposed of.”

It has been brought to the notice of this Court by the learned counsel for the State that the case of the petitioner was placed before the Departmental Promotion Committee and he has been promoted vide order dated 16.07.2016, but the payment would be made from the date of joining. As the petitioner was feeling aggrieved, he did not join the post and approached this Court, but during the pendency of the case the pension of the petitioner has been modified and enhanced in terms of the promoted post.

Learned counsel for the petitioner submits that the petitioner is entitled to the promotion from 06.10.2012.

This issue cannot be looked into in the present proceeding. If the petitioner is really aggrieved, he should take steps in accordance with law. For the present, it appears that the order of this Court has been complied in the term that the petitioner has been given the notional benefit of promotion under the heading of pension.



In such view of the matter, this Court does not find any purpose to keep this matter pending. Accordingly, this contempt application is dismissed.

(Shivaji Pandey, J)

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