

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.6538 of 2013

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Deo Narayan Mandal, Son of Late Ram Chandra Mandal, Resident of Village-
Kusamahi Post- Bazaar, P.S. Andhara Math, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Abhay Kumar, The Director, Primary Education, Human Resources
Development Department, Govt. of Bihar, Patna
3. Sri Prakash Ranjan Kumar, Regional Deputy Director of Education Koshi
Division, Saharsa, District- Saharsa
4. Sri Surendra Kumar The District Education Establishment Committee Saharsa
District Saharsa
5. Sri Mahesh Prasad Singh The District Education Officer, Saharsa, District-
Saharsa
6. Sri Surendra Kumar The District Superintendent of Education Saharsa
7. Sri Rajendra Pd. Bhagat, The District Superintendent of Education, Supaul, Dist.
Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Respondent/s : Mr. Niraj Kumar, A.C. to G.A. 10

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 26-07-2017

In pursuance to the order passed on the last date i.e. on
12.07.2017, District Programme Officer, Establishment is present and



has also filed a show-cause on behalf of Respondent No. 7.

A perusal of the show-cause goes to show that vide Annexure-4 dated 23.12.2013 in pursuance to the order passed on 07.01.2010 in the writ petition the case of the petitioner was placed for consideration before the appropriate Departmental Promotion Committee on 06.12.2013. The Committee evaluated the case of the petitioner and finding no person junior to the petitioner having been promoted and the petitioner not entitled for any monetary benefit, rejected the claim.

Once the claim of the petitioner has been rejected by the Committee after consideration, no further action is required to be taken in the matter. In case the petitioner has any grievance with regard to the manner in which the consideration is made and the claim has been rejected, the petitioner is granted liberty to challenge the same afresh in accordance with law.

That apart, respondents are directed to respond to show-cause notices issued in time and ensure that affidavits to the show-cause notices are filed within a reasonable period of time. In this case the matter is pending since 24.12.2013 and inspite of notice, for a period of more than four years no show-cause was filed which compelled this Court for personal appearance of the officer and it is only after personal appearance was ordered that the show-cause



indicating all these facts was filed yesterday on 25.07.2017.

Keeping in view the aforesaid, directing the respondents to ensure that in contempt cases show-causes are filed within a reasonable period, the contempt application stands disposed of and the respondents are discharged.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	28.07.2017
Transmission Date	

