

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.62 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 6171 of 2012**

- =====
1. Malhu Mandar, Son of Late Bilat Mandar, resident of Village- Arga, Police Station- Biraul, District- Darbhanga.
  2. Ganeshi Mandar, Son of Late Mahavir Mandar, resident of Village- Banduhali, Police Station- Baheri, District- Darbhanga.
  3. Ram Pukar Mandar, Son of Late Mahavir Mandar, resident of Village- Banduhali, Police Station- Baheri, District- Darbhanga.
  4. Ram Nandan Mandal, Son of Late Sukdeo Mandal, resident of Village- Rajwara, Police Station- Baheri, District- Darbhanga.
  5. Balram Mandar, Son of Shree Bhokar Mandar, resident of Village- Ramnagar, Police Station- Baheri, District- Darbhanga.
  6. Ram Narayan Mandal, Son of Late Gulab Mandal, resident of Village- Baghauni, Police Station- Baheri, District- Darbhanga.
  7. Uday Kant Singh, Son of Shree Ramotar Singh, resident of Village- Arga, Police Station- Biraul, District- Darbhanga.
  8. Rita Devi, Wife of Shree Uday Kant Singh, resident of Village- Arga, Police Station- Biraul, District- Darbhanga.
  9. Lalan Prasad, Son of Shree Ram Karan Singh, resident of Village- Arga, Police Station- Biraul, District- Darbhanga.
  10. Raj Kumar Mandal, Son of Shree Ramchandra Mandal, Resident of Village- Kothra, Police Station- Hayaghat, District- Darbhanga.
  11. Ashok Kumar, Son of Late Mauje Lal Singh, resident of Village- Bara, Police Station- Baheri, District- Darbhanga.
  12. Binay Kumar Singh, Son of Shree Thakko Singh, resident of Village- Arga, Police Station- Biraul, District- Darbhanga.
  13. Lalit Kumar Mahto, Son of Late Thakko Mahto, resident of Village + Police Station- Baheri, District- Darbhanga.
  14. Amla Kumari, Daughter of Shree Nand Lal Singh, resident of Village- Adawan, Police Station- Baheri, District- Darbhanga.
  15. Radhe Shyam Rai, Son of Shree Nand Lal Rai, resident of Village- Par, Police Station- Baheri, District- Darbhanga.
  16. Ram Babu Yadav, Son of Shree Ram Avtar Yadav, resident of Village- Gobrahi, Police Station- Baheri, District- Darbhanga.
  17. Shashi Nath Jha, Son of Prithvi Jha, resident of Village- Balbhadrapur (Nav Tol), Police Station- Balbhadrapur, District- Darbhanga.
  18. Ramesh Chandra Poddar, Son of Late Raghunandan Poddar, resident of Village- Dethua, Police Station- Ghanshyampur, District- Darbhanga.
  19. Md. Nawab, Son of Late Nihal Ahmad, resident of Village- Sarai Sattarkhan, Police Station- Laherisarai, District- Darbhanga.
  20. Kumari Shobha, Wife of Shree Radha Krishna Prasad, resident of Village- Ahiya Nagar, Police Station- Laherisarai, District- Darbhanga.
  21. Yogya Rekha, Wife of Shree Ram Prakash Jha, resident of Village- Karian, Police Station- Rosera, District- Samastipur.
  22. Bijay Kant Mishra, Son of Shree Mahakant Mishra, resident of Village- Adharpur, Police Station- Ghanshyampur, District- Darbhanga.

.... .... Petitioner/s



Versus

1. The State of Bihar.
2. Shree Ashutosh Kumar, Son of not known to the petitioners, at present working as the Director (Primary Education), Government of Bihar, Patna.
3. The Staff Selection Commission through Shree J.R.K. Rai, Son of not known to the petitioner, at present working as the Chairman, Post Veterinary College, Police Station- Shastrinagar, District- Patna.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 4118 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 4745 of 2012**

=====

Sati Kumari D/o Bhishan Ram, W/o Ashok Kumar Resident of Village Patedha Buzurg, P.O. Patedha Jayram, P.S. Vaishali (Belsar O.P.), District Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Amarjit Sinha, the Principal Secretary, Human Resources Development Department, Bihar, Patna.
3. Mr. Ajay Kumar Choudhary, the Director, Primary Education, H.R.D., Government of Bihar, Patna.
4. Mr. Persuram Mishra, the Secretary, Staff Selection Commission, Bihar, P.O. Vatenary College, Patna-14.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 3178 of 2016**

**IN**

**Civil Writ Jurisdiction Case No. 21987 of 2013**

=====

Sunita Kumari, Daughter of Haribansh Yadav, Wife of Laxman Yadav, Resident of Village- Rasalpur Khurd, Police Station- Bahadurpur, District- Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar through Mr. Anjani Kumar Singh, at Present Chief Secretary, Government of Bihar, Patna.
2. Mr. Amarjeet Sinha, Son of Name not known to the Petitioner, at present Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Bihar Staff Selection Commission, Patna thorough its Secretary, namely Mr. Parmeshwar Ram.
4. Mr. Sudhir Kumar, Son of Name Not Known to the Petitioner, at Present, Chairman, Bihar Staff Selection Commission, Patna.

.... .... Respondent/s

With



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**Miscellaneous Jurisdiction Case No. 3099 of 2016**

**IN**

**Civil Writ Jurisdiction Case No. 21987 of 2013**

=====

Anand Kumar Mishra, Son of Kameshwar Mishra, Resident Of Village -  
Lakshmipur ( Panda ) Madhubani, P.S. Khajauli, District - Madhubani

.... .... Petitioner/s

Versus

1. The State of Bihar through Mr. Anjani Kumar Singh, At Present Chief Secretary, Government of Bihar, Patna
2. Mr. Amarjeet Sinha, son of name not known to the petitioner, at present Principal Secretary, Education Department Government of Bihar, Patna.
3. The Bihar Staff Selection Commission, Patna through Its Secretary Namely Mr. Parmeshwar Ram
4. Mr. Sudhir Ram son of name not known to the petitioner. at Present, chairman, Bihar Staff Selection Commission, Patna.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 4322 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 14682 of 2012**

=====

Ram Naresh Singh, son of Late Ram Sohan Singh, Resident of Village/ Mohalla-  
Lohiya Nagar, Police Station- Town Begusarai, District- Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar through Shri Amarjeet Sinha, the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. Shri Ashok Kumar Chaudhary, the Director, Primary Education, Human Resources Development Department, Government of Bihar, Patna.
3. The Bihar Staff Selection Commission through its Secretary, Veterinary College, Patna- 800014 Sri Baidya Nath Prasad Daftuar
4. Sri Amarendra Narayan Singh, the Chairman, Bihar Staff Selection Commission, Veterinary College, Patna- 800014.
5. Sri Baidya Nath Prasad Daftuar, the Secretary, Bihar Staff Selection Commission, Veterinary College, Patna- 800014.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 5421 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 13219 of 2012**

=====

1. Renu Kumari @ Renu Devi, Daughter Of Shiv Narayan Singh, Wife Of Shri



Yogendra Rai, Resident Of Village- Bajrahiya, P.O. Gohpur Bajrahiya, P.S.- Gautam Budha Nagar (Tarwara), District- Siwan

2. Kumari Seema Sinha W/O Shri Parmatma Singh, Resident Of Village- Bajrahiya, P.O. Gohpur Bajrahiya, P.S.- Gautam Budha Nagar (Tarwara), District- Siwan
3. Meena Kumari, D/O Bhikhari Singh, Resident Of Village- Madhopur, P.O.- Chainwa, P.S.- Rasulpur, District- Saran (Chapra)

.... .... Petitioner/s

Versus

1. The State Of Bihar Through Shri Amarjeet Sinha, the Principal Secretary, Human Resources Development Department, Government Of Bihar, Patna.
2. Shri Ashok Kumar Chaudhary, The Director, Primary Education, Human Resources Development Department, Government Of Bihar, Patna.
3. The Bihar Staff Selection Commission Through Mr. Parshuram Mishra, Its Secretary, Veterinary College, Patna- 800014
4. Mr. J.R.K. Rao, the Chairman, Bihar Staff Selection Commission, Veterinary College, Patna- 800014
5. Mr. Parshuram Mishra, the Secretary, Bihar Staff Selection Commission, Veterinary College, Patna- 800014

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 2303 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 16209 of 2012**

=====

Kiran Kumari Gupta D/O Late Harilal Sah And W/O Bal Kishun Sah Resident Of Mohalla- Kurji Near Masjid Gali, Gate No. 74, P.S- Digha, P.O- Sadaquat Ashram, District- Patna- 70, And Now Presently Resident Of Mohalla- North Nehru Nagar, Near Pani Tanki, P.S- Patliputra, District- Patna- 13

.... .... Petitioner/s

Versus

1. The State Of Bihar Through Mr. Ashok Kr. Sinha, The Principal Secretary, Department Of H.R.D., Government Of Bihar, Vikash Bhawan, Patna.
2. Mr. Rahul Singh, the Director of Education, Primary School, Vikas Bhawan, Patna.
3. Mr. J. R. K. Ray, the Chairman, Bihar State Staff Selection Commission, P.O- Veterinary College, Patna.
4. Mr. Parsuram Mishra, The Secretary, Bihar State Staff Selection Commission, P.O- Veterinary College, Patna- 14

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 4359 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 6917 of 2012**

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Chandrakala Kumari, W/O Sri Ajay Kumar, Resident Of Village- Bhelwa, P.O+  
P.S- Hasua, District- Nawada.

.... .... Petitioner/s

Versus

1. The State Of Bihar, Through the Principal Secretary, Human Development Department, Govt. Of Bihar, Patna.
2. Mr. Amarjeet Sinha, the Principal Secretary Education Department, Govt. Of Bihar, Patna.
3. Mr. Ashutosh, the Director Primary Education, H.R.D. Department, Govt. Of Bihar, Vikas Bhawan, Patna.
4. Mr. Parsuram Mishra, the Secretary, Staff Selection Commission, Veterinary College, Patna.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 5352 of 2012**

**IN**

**Civil Writ Jurisdiction Case No. 9450 of 2012**

=====

1. Ranjana Sharma, D/o Braj Kishor Sharma, resident of Village and Post- Sher, P.S.- Sidhwaliya, Dist- Gopalganj.
2. Renu Kumari, D/o Kapildev Singh, resident of Village and Post- Sher, P.S.- Sidhwalia, Dist- Gopalganj.
3. Veena Kumari, D/o Sri Arvind Kumar, resident of Village- Bakharaur, Post- Bishunpura, P.S.- Sidhwalia, Gopalganj.
4. Mithilesh Kumar Tiwari, S/o Ram Chandra Tiwari, resident of Village- Matauli, P.S.- Sidhwaliya, Dist- Gopalganj.
5. Awadhesh Tiwari, S/o Trigunanand Tiwari, resident of Village- Pachrukha, Post- Bagheji, P.S.- Barauli, Dist- Gopalganj.
6. Ramratan Singh, S/o Shivpujan Singh, resident of Village- Gangua, Post- Sidhwaliya, P.S.- Sidhwaliya, Dist- Gopalganj.
7. Anwar Aam, So/o Late Sk. Ali Sher, resident of Village- Balhan, Post- Bishunpura, Dist- Gopalganj.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Asutosh Kumar, the Director, Primary Education, Government of Bihar, New Secretariat, Patna, Bihar.
3. Parsuram Mishra, The Secretary Staff Selection Commission, Bihar, Patna P.O. Veterinary College, P.S.- Shastri Nagar, Patna.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 4633 of 2012**

=====

Madan Mohan Prasad, S/O Parash Nath Ram, Resident Of Village Amaraha, Post



Manihari, P.S. Bhabhua, District Kaimur (Bhabhua).

.... .... Petitioner/s

Versus

1. The State Of Bihar.
2. Asutosh Kumar, the Director, Primary Education, Government of Bihar, New Secretariat, Patna, Bihar.
3. Parsuram Mishra, The Secretary Staff Selection Commission, Bihar, Patna, P.O. Veterinary College, P.S. Shastri Nagar, Patna.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 4117 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 4835 of 2012**

=====

Surendra Kumar Singh, S/o Late Rambriksha Singh R/o Village Chakgulumuddin,  
P.S. Vaishali (Belsar O.P.), District Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Amarjit Sinha, the Principal Secretary, Human Resources Development Department, Bihar, Patna.
3. Mr. Ajay Kumar Choudhary, the Director, Primary Education, H.R.D., Government of Bihar, Patna.
4. Mr. Persuram Mishra, the Secretary, Staff Selection Commission, Bihar, P.O. Vatenary College, Patna-14.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 4119 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 2397 of 2012**

=====

Usha Devi D/o Nand Kishore Prasad, W/o Shivendra Prasad Sah, Resident of  
Village Belsar, P.O. Anirudh Belsar, P.S. Vaishali (Belsar O.P.), District Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Amarjit Sinha, the Principal Secretary, Human Resources Development Department, Bihar, Patna.
3. Mr. Ajay Kumar Choudhary, the Director, Primary Education, H.R.D., Government of Bihar, Patna.
4. Mr. Persuram Mishra, the Secretary, Staff Selection Commission, Bihar, P.O. Vatenary College, Patna-14.



.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 4120 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 5254 of 2012**

=====

Abha Kumari, D/o Late Nawal Kishore Pandey, W/o Mahadeo Prasad Singh  
Resident of Village Patedha Buzurg, P.O. Patedha Jayram, P.S. Vaishali (Belsar  
O.P.), District Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Amarjit Sinha, the Principal Secretary, Human Resources Development Department, Bihar, Patna.
3. Mr. Ajay Kumar Choudhary, the Director, Primary Education, H.R.D., Government of Bihar, Patna.
4. Mr. Persuram Mishra, the Secretary, Staff Selection Commission, Bihar, P.O. Vatenary College, Patna-14.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 4321 of 2013**

**IN**

**Civil Writ Jurisdiction Case No. 14223 of 2012**

=====

Subhadra Kumari, daughter of Mahendra Choudhary, wife of Sri Ram Naresh Singh, resident of village mohalla-Lohiya Nagar, Police Station-Town Begusarai, District- Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar through Shri Amarjeet Sinha, the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. Shri Ashok Kumar Chaudhary, the Director, Primary Education, Human Resources Development Department, Government of Bihar, Patna.
3. The Bihar Staff Selection Commission through its Secretary, Sri Baidya Nath Prasad Daftuar, Veterinary College, Patna-800014.
4. Sri Amarendra Narayan Singh, the Chairman, Bihar Staff Selection Commission, Veterinary College, Patna-800014.
5. Sri Baidya Nath Prasad Daftuar, the Secretary, Bihar Staff Selection Commission, Veterinary College, Patna-800014.

.... .... Respondent/s

With

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**Miscellaneous Jurisdiction Case No. 5037 of 2013**



**IN**  
**Civil Writ Jurisdiction Case No. 4447 of 2012**

=====

Seema Kumari, D/O Ram Akhilesh Shukla, W/O Dhaneshwar Chaturvedi, Resident  
Of Village Karuna, P.O. Malahi, P.S. Sursand, District Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Shri Ashutosh Kumar, S/O Name Not Known To The Petitioner, At Present Working As The Director (Family Education), Government Of Bihar, Patna.
3. Sri Sahjanand S/O Name Not Known To the Petitioner At Present Working As District Education Officer, Sitamarhi.
4. The Staff Selection Commission through Shri J.R.K. Rai, S/O Name Not Known To The Petitioner, At Resent Working As The Chairman, Post Veterinary College, P.S. Shastrinagar, Patna.

.... .... Respondent/s

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**Appearance :**

(In MJC No.62 of 2013)

|                      |   |                                                                    |
|----------------------|---|--------------------------------------------------------------------|
| For the Petitioner/s | : |                                                                    |
| For the Respondent/s | : | Mr. Kinkar Kumar, SC -9<br>Mr. Yogesh Kumar, AC to SC-9            |
| For the Commission   | : | Mr. Lalit Kishore, Senior Advocate<br>Mr. S. S. Sundaram, Advocate |

(In MJC No.4118 of 2013)

|                      |   |                                                                       |
|----------------------|---|-----------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Rajeev Ranjan NO.II, Advocate                                     |
| For the Respondent/s | : | Mrs. Binita Singh, SC 28<br>Mr. Siddharth Shankar Pandey, AC to SC-28 |
| For the Commission   | : | Mr. Lalit Kishore, Senior Advocate<br>Mr. S. S. Sundaram, Advocate    |

(In MJC No.3178 of 2016)

|                      |   |                                                                    |
|----------------------|---|--------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Kripa Nand Jha                                                 |
| For the Respondent/s | : | Mr. AC to SC 22                                                    |
| For the Commission   | : | Mr. Lalit Kishore, Senior Advocate<br>Mr. S. S. Sundaram, Advocate |

(In MJC No.3099 of 2016)

|                      |   |                                                                    |
|----------------------|---|--------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Kripa Nand Jha                                                 |
| For the Respondent/s | : | Mr. AC to 22                                                       |
| For the Commission   | : | Mr. Lalit Kishore, Senior Advocate<br>Mr. S. S. Sundaram, Advocate |

(In MJC No.4322 of 2013)

|                      |   |                                                                    |
|----------------------|---|--------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Umesh Kumar Mishra                                             |
| For the Respondent/s | : | Mr. Shyam Kishor Sharma                                            |
| For the Commission   | : | Mr. Lalit Kishore, Senior Advocate<br>Mr. S. S. Sundaram, Advocate |

(In MJC No.5421 of 2013)



For the Petitioner/s : Mr. Umesh Kumar Mishra  
For the Respondent/s : Mr. Radhika Raman  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate

(In MJC No.2303 of 2013)

For the Petitioner/s : Mr.  
For the Respondent/s : Mr.  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate

(In MJC No.4359 of 2013)

For the Petitioner/s : Mr. Bankey Bihari Singh  
For the Respondent/s : Mr. Radhika Raman  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate

(In MJC No.5352 of 2012)

For the Petitioner/s : Mr. Bijay Shankar Choubey  
For the Respondent/s : Mr.  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate

(In MJC No.4633 of 2012)

For the Petitioner/s : Mr. Bijay Shankar Choubey  
For the Respondent/s : Mr. Raj Kishore Roy, G.P.-18  
Mr. Prerna Anand, AC to G.P.18

(In MJC No.4117 of 2013)

For the Petitioner/s : Mr. RAJEEV RANJAN NO.II  
For the Respondent/s : Mr. A.UJJWAL  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate

(In MJC No.4119 of 2013)

For the Petitioner/s : Mr. Rajeev Ranjan No.II  
For the Respondent/s : Mr. Nirbhay K.Singh  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate

(In MJC No.4120 of 2013)

For the Petitioner/s : Mr. Rajeev Ranjan No.II  
For the Respondent/s : Mr. Sunil Kr. Mandal, SC-3  
Mr. Arjun Prasad, AC to SC-3  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate

(In MJC No.4321 of 2013)

For the Petitioner/s : Mr. Umesh Kumar Mishra  
For the Respondent/s : Mr. Amaresh Kumar Sinha, AC to GA-1  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate



(In MJC No.5037 of 2013)

For the Petitioner/s : Mr. Birendra Kumar, Advocate  
For the Respondent/s : Mr. Ashok Kumar Keshri, Advocate  
For the Commission : Mr. Lalit Kishore, Senior Advocate  
Mr. S. S. Sundaram, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**ORAL JUDGMENT**

**Date: 12-07-2017**

As common questions are involved in these contempt applications filed, they are being disposed of by this common order.

The dispute in question pertains to appointment of Assistant Teachers in pursuance to an exercise undertaken under the Rules of 2010. As a one time measure, more than 32,127 candidates were appointed and in the matter of appointment subsequently, various disputes arose, series of litigations took place and ultimately the matter travelled to the Hon'ble Supreme Court in Special Leave Petitions. Thereafter, came back to this Court in L.P.A. No.1491 of 2014 and finally was resolved by an order passed in Civil Review No.16 of 2016 and various other cases on 19.10.2016 and the matter is now pending with the State Government and the Staff Selection Commission for causing an enquiry by the committee and taking action on the report submitted by the Committee. Initially, all these petitions were filed in the year 2013 and they were disposed of by an innocuous order much before the orders were passed by the Hon'ble Supreme Court on 18.07.2013 and by the Division Bench in Letters Patent Appeal No.1491 of 2014 and Civil Review No.16 of 2106 on 19.10.2016. Unaware of various directions issued in all these cases by the



Hon'ble Supreme Court and by this Court, the Writ Court disposed of all the petitions filed by the present applicants by an innocuous order directing the Staff Selection Commission to consider and decide the representations of the petitioners.

*Inter alia* contending that the representations have not been decided, these applications for contempt have been filed and when the matters are taken up, Sri Lalit Kishore, learned Senior Advocate appearing for the Commission and the other counsel representing the State Government pointed out that the matter is not as simple as the petitioners say that the representation should be decided. They pointed out to this Court various issues that have now arisen after orders were passed by the Supreme Court initially when the selection was challenged and subsequently on 18.07.2013 in SLP (C) No.26824 of 2012, appointment of Committees, examinations and enquiries done by the Committees and thereafter orders passed in Letters Patent Appeal No.1491 of 2014 and Civil Review No.16 of 2016 and say that in the light of all these subsequent developments, the Commission is seized of the matter and is taking action for implementing the order passed by this Court based on the certain directions and in the light of those directions, if any decision is taken on the representations of the petitioners, possibility of there being breach of the directions issued for causing an enquiry and taking action by various courts in the orders passed, as are indicated



therein, cannot be ruled out and, therefore, inability is expressed in all these cases to say that decision on the representations of the petitioners now are not possible in view of these developments.

I have considered the contentions advanced and I find that there is much force in the aforesaid objection raised by the respondents, particularly by the Staff Selection Commission represented by Sri Lalit Kishore. In view of series of orders passed subsequently, as are indicated hereinabove, it may not possible for the respondents now to take a decision on the representations of the petitioners. They are required to take action in accordance to the directions that have been issued from time to time in various cases for the purpose of filling up of the vacancies available and merely because there is an order for deciding the representations of the petitioners, ignoring various mandate issued by the Courts in various cases, this Court cannot take action for contempt. These are the cases where now due to subsequent developments that have taken place and due to series of orders passed in various cases, implementation of the order only to the effect of deciding the representations of the petitioners is not possible and once the compliance of an order passed by the Court becomes impossible due to subsequent developments and various reasons *bona fide* in nature, it is not appropriate to take action for contempt of court, instead the matters should be disposed of granting opportunities to the parties to ventilate their grievance afresh in



accordance to the requirement of law.

That being so, I am of the considered view that now in the peculiar facts and circumstances and the subsequent developments that have happened into the matter, it is not a fit case where contempt of court proceedings can be initiated, instead all these applications are disposed of with liberty to the petitioners to ventilate their grievance afresh in accordance with law before an appropriate Court or Forum.

**(Rajendra Menon, CJ)**

Sunil/-

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|-------------------|------------|
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