

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3619 of 2014

IN

Civil Writ Jurisdiction Case No. 11535 of 2012

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Shankar Darshan Sanskrit Vidyalaya, Sari Sah through the Head Master Sita Ram Jha, Son of Late Raghuram Jha Resident of Village - Pahi Tola, P.S.- Pandaul, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
2. R.K. Mahajan, The Principal Secretary, Department of Education, Govt. of Bihar, Patna
3. Ashutosh Kumar, Special Director, Sanskrit Department of Education, Govt. of Bihar, Patna
4. Ram Dev Prasad, The Chairman, B.S. Shiksha Board, Patna Bihar
5. Milind Kumar Sinha, The Secretary, B.S. Shiksha Board, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar Jha
For the Respondent/s : Mr. Anil Kumar, GP 23

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 18-10-2017

Inter alia contending that an order dated 17.04.2013 passed in CWJC No. 11535 of 2012 has not been complied with, this application has been filed for initiating action for contempt.

It is stated that the case of the petitioner Institute for grant of approval/recognition has not been properly considered and the decision taken is not tenable, however, from the show cause filed by the respondents and the proceedings of the Board and the decision as contained in Annexure-A along with the averments made in the show-cause it appears that claim of the petitioner Institute was considered



and it has been rejected.

Once the claim has been considered and rejected, as is indicated in the show-cause, no case for initiating contempt proceedings is made out. The petitioner may challenge the action, as indicated in the show-cause afresh in accordance with law in case he has any grievance still subsisting but on the ground that no order has been communicated to the petitioner or the claim has not been properly considered in the peculiar facts and circumstances of this case, I see no reason to initiate action for contempt.

The contempt application is, therefore, disposed of with the aforesaid liberty to the petitioner.

(Rajendra Menon, CJ)

mrl./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30/10/2017
Transmission Date	N.A.

