

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2290 of 2014

IN

Civil Writ Jurisdiction Case No. 4287 of 2013

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Awadh Bihari Singh, Son of Late Ram Swarath Singh, Resident of Village & P.O.-
Dhaudarh, P.S.-Sasaram (Muffassil), District-Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Govt. of Bihar, Patna.
2. Sri Amarjeet Sinha, the Principal Secretary Department of Human Resources Development, Govt. of Bihar, Patna.
3. Dr. Sita Ram Singh, the Director, (Secondary Education) Department of Human Resources Development, Govt. of Bihar, Patna
4. Mr. Sandip Kumar R-Kukarkati, the District Magistrate, Rohtas
5. Mr. Nayan Ranjan Verma, the District Education Officer, Rohtas.
6. Mr. Umesh Kumar Tripathi, the Circle Officer, Sasaram Circle, Sasaram, District-Rohtas.
7. Ayodhya Prasad, Son of Late Ram Prasad, Resident of Village+P.O.-Dhaudarh, P.S.-Sasaram, District-Rohtas.

.... Opposite Parties/Contemners

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Respondent/s : Mr. Ajeet Kumar

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 06-10-2017

Inter alia contending that orders passed on 10.05.2013 in
CWJC No. 4287 of 2013 has not been complied with this application
has been filed for initiating action for contempt.

In the writ petition, challenge was made to an order
passed by the Collector in the matter of functioning of two schools in
a land donated by the villagers for both the Government institutes.
After taking note of all the grievances the writ petition was disposed



of with the following manner:-

“In the circumstances, respondents will look into the matter and take steps in larger interest of the students and children who are studying in the schools preferably before the next session in the schools starts. It will be open to them to consider as to whether both the schools are legally entitled to run in the same premises and in the same building or on one plot or not. They shall ensure that necessary arrangements are made so that study in the schools should not be disturbed in any way.

This writ application is disposed of.”

Inter alia contending that the aforesaid direction having not been complied with this application has been filed for initiating contempt.

From the show cause filed by the respondents it is seen that the Collector has already passed an order and directed that one of the institutes should be removed from the area within a particular period of time.

That being so, now no further action is required to be taken in the case when one of the schools running on the same land has been directed to be removed within a specified period of time. Once the Collector has taken action as per the direction of the learned Writ Court still the grievance of the petitioner persists he may seek direction of the Collector for implementation of his order. Once the



Collector has taken action as per the guidelines of the learned Writ
Court no case for initiating action for contempt is made out.

This application is accordingly disposed of.

(Rajendra Menon, CJ)

mrl

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09/10/2017
Transmission Date	N.A.

