

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2264 of 2015

In
Civil Writ Jurisdiction Case No. 12357 of 2010

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1. Md. Habbibur Rahman Son of Late Shahidullah Molla Resident of village - Baidyanathpur, P.O.- Chockchama, P.S.- Amdabad, District – Katihar Petitioner/s

Versus

1. The State of Bihar Through Mr. R.k.mahajan The Principal Secretary Cum Commissioner Department of Human Resources Development Govt. of Bihar
2. Prof. Dr. Khalid Mirza, Director, Department of Human Resource Development, Government of Bihar, Patna
3. Prof. Dr. Shamshad Hussain, Chairman, Bihar State Madarsa Education Board, Patna
4. Dr. Khurshid Alam, Secretary, Bihar State Madarsa Education Board, Patna
5. Mr. Sriram Singh, District Education Officer, District - Katihar
6. Mr. Deep Narayan Raw, Block Education Officer, Katihar
7. Najmul Haque, son of Md. Ibrahim Resident of village - Baidyanathpur, P.O.- Chockchama, P.S.- Amdabad, District - Katihar
8. Md. Manzoor Alam Son of Abu Sayeed Assistant Teacher, Resident of village - Baidyanathpur, P.O.- Chowkchama, P.S.- Amdabad, District - Katihar

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad, Advocate
For the Respondent/s : Mr. Deepak Sahay Jamuar, AC to AAG4
For O.P. nos. 3 & 4 : Mr. Rashid Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 02-02-2017

Heard learned Counsel for the parties concerned.

A show cause reply has been filed on behalf of opposite parties, stating therein that order of this Court, dated 03.09.2014, has been complied with and the petitioner's representation, as contained in Annexure-4, has been disposed of.

Learned Counsel on behalf of petitioner has, however, submitted that petitioner was given a liberty to raise his grievance as regards non-payment of salary which was also



required to be considered in accordance with law, which has not been done.

Learned Counsel appearing on behalf of opposite parties submitted that Board Managing Authority has considered the petitioner's grievance for payment of salary.

Be that as it may, in my opinion, the order of this Court, dated 03.09.2014, appears to have been substantially complied with and, therefore, no case of deliberate disobedience of this Court's order, necessitating initiation of contempt proceeding, is made out.

I, therefore, do not intend to proceed any further in the matter.

As regards non-payment of salary, if the petitioner has raised any grievance before appropriate authority, which has not been considered, the Court expects that the same shall be considered and decided in order to prevent any action from the Court.

This application, thus, stands disposed of with the observations as stated above.

(Chakradhari Sharan Singh, J.)

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