

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.426 of 2017

IN

Civil Writ Jurisdiction Case No. 7355 of 2014

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Madan Prasad Singh, Son of late Sukhdeo Prasad Singh, resident of village - Jetia,
P.O. Jetia, Bambar, P.S. Sangrampur, District - Munger

.... Petitioner

Versus

1. The State of Bihar, through Ajani Kumar Singh, the Chief Secretary, Government of Bihar, Old Secretariat, Patna
2. Sr. R.K. Mahajan, Principal Secretary, Education Department, New Secretariat, Patna
3. Sri M. Ram Chandra Du, the Director, Primary Education, Bihar, Patna
4. Mrs. Bimla Kumari, the Regional Deputy Director of Education, Tirhut Commissioner, Muzaffarpur
5. Sri Satya Narayan Prasad, District Education Officer, Vaishali at Hajipur
6. Md. Mustafa Hussain Mansoori, District Programme Officer, Establishment, Vaishali at Hajipur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan, Adv.

For the Respondent/s : Mr. Ashutosh Ranjan Pandey, A.A.G.-15

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 17-07-2017

Heard learned counsel for the parties.

In this case, the petitioner is claiming that the order passed in C.W.J.C. No.7355 of 2014 and other analogous cases has not been complied with, whereby the Court has disposed of the matters and recorded its opinion in the following manner:-

....this court is of the opinion that the interest of justice shall be subserved if the criminal trials pending against them are directed to be concluded within a period of one year. The aforesaid petitioners must co-operate in early conclusion of the pending criminal trails against them. During the aforesaid period of one year, the



departmental proceeding pending against them should be kept in abeyance.”

By this order, only one year's embargo was placed for conducting the departmental proceeding. The petitioner has not brought on record any application which he has filed before the Court below attracting the observations and direction of this Court for early conclusion of the trial preferably within one year. Further, the order dated 12.01.2017 indicates that the petitioner has filed an application under Section 317 of the Criminal Procedure Code before the Court below for dispensing with his personal appearance inasmuch as the petitioner has already been dismissed from service after completion of the departmental proceeding and the order of dismissal has been challenged by the petitioner in Appeal before the Secretary, Education Department, Government of Bihar, Patna.

In such view of the matter, this Court is of the view that the petitioner could not make out a case for contempt of Court. Accordingly, this contempt application is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
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