

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1203 of 2015

IN

Civil Writ Jurisdiction Case No. 10887 of 2013

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Tej Narain Kumar, S/o Faudar Prasad R/o Village- Mohanpur, P.O.- Hassanpur,
P.S.- Madhepura, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar.
2. The Chief Secretary, Sri Anjani Kumar Sinha, Bihar, Patna.
3. The Director, Sri Kamal Kishor Singh, Primary Education, Bihar, Patna.
4. The Collector, Shri Gopal Meena, Madhepura.
5. The Deputy Development Commissioner, Shri Shrawan Kumar Pansari, Madhepura.
6. Shri Dharendra Narayan Mishra, the Regional Deputy Director, Kosi Division, Saharsa.
7. Shri Prabodh Kumar, the District Programme Officer, Establishment, Madhepura.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mallika Mazumdar, Adv.

For the Respondent/s : Mr. Manikant Mishra

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 10-03-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has moved before this Court in
C.W.J.C. No.10887 of 2013 and this Court while disposing of the
matter has given direction to the Director, Primary Education to
examine as to whether the petitioner would be entitled for payment
of his salary i.e. from 21.11.1998 to 08.07.1996, while examining
such claim the Director, Primary Education must be satisfied as
with regard to fulfillment of the five conditions



mentioned in the order dated 21.11.1998.

The Director, Primary Education vide letter dated 18.03.2014 has rejected the claim of the petitioner. The Director, Primary Education has taken note of the letter of the District Programme Officer, Madhepura dated 26.02.2014 where it has been stated that the petitioner has not worked from 21.11.1986 to 08.07.1996 and his name was not standing. It has further been recorded that during the argument, District Programme Officer, Madhepura has also produced another document, which was in moth-eaten condition, where the name of the petitioner is standing, but the same is not countersigned.

This issue cannot be decided in the present contempt proceeding. Accordingly, this contempt proceeding is dropped. The petitioner, if so advised, may challenge the order of the Director, Primary Education before the appropriate Forum/Court.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
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