

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4135 of 2014

Arising out of

Civil Writ Jurisdiction Case No. 593 of 2002

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Bam Bahadur Singh Son of Late Chandradeo Singh Resident of Village-
Methian, P.S.- Mashrakh, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar through Mr. R.K. Mahajan, S/o Not known The Commissioner-cum-Secretary, now (Principal Secretary) Education Department, Government of Bihar, New Secretariat, Patna.
2. Mr. Rajendra Ram S/O Not known to petitioner Director-cum-Special Secretary, Education Department (HRD Department), Government of Bihar, Patna.
3. Ram Bujhawan Chaudhary Son of Not Known to the petitioner Director (Secondary Education), Education Department, Government of Bihar, Budh Marg, Patna.
4. Mr. Ajit Kumar S/O Not known to petitioner Deputy Director, (Secondary Education), Education Department, Government of Bihar, Budh Marg, Patna.
5. Madhu Sudan Paswan Son of Not Known to the petitioner District Education to the Officer Saran District Saran.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate.

For the Respondent/s : Mr. Sunil Kumar Mandal, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 24-05-2017 Heard learned counsel for the petitioner and

Learned counsel for the State.

This Court in CWJC No. 593 of 2002 has given a

direction to the respondent authorities to consider the case of the

petitioner for grant of Post Graduate Trained Scale as per actual

availability of posts in the said scale.

It would be appropriate to quote the relevant

portion of the order, which are as follows:



“Therefore, it appears that the cases of the petitioners have to be considered separately and individually as per the availability of posts in the respective schools. Therefore, the respondents are directed to consider the cases of the petitioners for grant of such scale in their respective schools as per actual availability of posts in the said scale from the relevant date. The final decision in this respect shall be taken by the respondents within three months in respect of each and every petitioner in accordance with law and consequential benefits, as found admissible, shall also be paid to them within one month thereafter.”

A show cause has been filed by the Director, Secondary Education, Bihar, Patna, attaching the order dated 24.09.2014, whereby he has arrived to the finding that the petitioner is not entitled to Post Graduate Scale and accordingly rejected the claim of the petitioner.

For the present, no case of contempt is made out against the opposite parties. If the petitioner feels aggrieved, he is at liberty to challenge the order of the Director, Secondary Education, Bihar, Patna, before an appropriate forum/Court.

Accordingly, the contempt application is disposed of.

(Shivaji Pandey, J)

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