

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Miscellaneous Jurisdiction Case No.3618 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 11417 of 2012**

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Kamla Sanskrit Prathmik Sah Madhya Vidyalaya Pahi Tola (Sari Sab Pahi), P.S.-
Pandaul, District -Madhubani through Amar Najh Jha Son of Late Vishwanath Jha
Resident of Village - Pahi Tola, P.S.- Pandaul, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education,
Govt. of Bihar, Patna
2. R.K. Mahajan, The Principal Secretary, Department of Education, Govt. of
Bihar, Patna
3. Ashutosh Kumar, Special Director, Sanskrit Department of Education, Govt. of
Bihar, Patna
4. Ram Dev Prasad, The Chairman, B.S. Shiksha Board, Patna Bihar
5. Milind Kumar Sinha, The Secretary, B.S. Shiksha Board, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	
For the State	:	Mr. Arun Kumar Sinha, A.C. to G.P. 24
For the Board	:	Mr. S.S. Sundaram, Advocate Mr. Shashank Shekhar Jha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date: 20-07-2017

Inter alia contending that an order dated 17.04.2013
passed in C.W.J.C. No. 11417 of 2012 has not been complied with,
this application has been filed for initiating action for contempt.

It is stated that the case of the petitioner Institute for
grant of approval/recognition has not been properly considered and
the decision taken is not tenable, however, from the supplementary
show-cause filed by the respondents and the proceedings of the Board
and the decision as contained in Annexure-A along with the



averments made in the supplementary show-cause it appears that claim of the petitioner Institute was considered and it has been rejected.

Once the claim has been considered and rejected, as is indicated in the supplementary show-cause, no case for initiating contempt proceeding is made out. The petitioner may challenge the action, as indicated in the supplementary show-cause afresh in accordance with law in case he has any grievance still subsisting but on the ground that no order has been communicated to the petitioner or the claim has not been properly considered in the peculiar facts and circumstances of this case, I see no reason to initiate action for contempt.

The contempt application is, therefore, disposed of with the aforesaid liberty to the petitioner.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	25.07.2017
Transmission Date	

