

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4096 of 2014

IN

Civil Writ Jurisdiction Case No. 1727 of 2009

=====

Sharda Mandir Sanskrit Prathmik Sah Madhya Vidyalaya, Bakshi Tola Haripur,
Madhubani through the Assistant Teacher Mahesh Jha son of Late Chandra Shekhar
Jha resident of village - Ramnagar, P.S. Rahika, 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, Deptt. of Education, Govt. of Bihar, Patna.
4. Ram Dev Prasad the Chairman, Bihar Sanskrit Shiksha Board Patna, Bihar.
5. Milind Kumar Sinha, The Secretary, Bihar Sanskrit Shiksha Board, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Hemant Kumar Jha

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 20-07-2017

Considering the following facts, I am not inclined
to initiate action for contempt in the present case.

In the original writ petition, petitioner was not a
party and he had not assailed the action of the respondents by filing
any writ petition. Only because in the operative part of the order the
State Government was directed to reconsider the case of all the
schools, petitioner had represented the matter before the Board and
the State Government, thereafter did not take action, this application
is filed.



From the documents available on record, it is seen that petitioner is said to have submitted a representation to the Secretary of the Bihar Sanskrit Shiksha Board vide Annexure-2 on 21.01.2013. There is no material to indicate as to how and in what manner the aforesaid application was submitted to the Board who received the same and what were the documents which were annexed with the application. That apart, if the application was submitted on 21.01.2013, petition does not indicate as to what further action was taken by the petitioner between 21.01.2013 and 22.09.2014 when this contempt application was filed.

Keeping in view the manner in which the action is taken by the petitioner, I am not inclined to initiate any action for contempt. In case the petitioner has any grievance, liberty shall be available to the petitioner to claim the same, in accordance with law.

With the aforesaid the application stands disposed of.

(Rajendra Menon, CJ)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29/07/2017
Transmission Date	NA

