

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1930 of 2015

In
Civil Writ Jurisdiction Case No. 10986 of 2013

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1. Vinay Sah & Ors Son of Late Govind Sah Resident of Village Goriara,
P.O. Chamarua P.S Karja Distt. Muzaffarpur.
2. Uma Shankar Rai Son of Yogendra Rai Resident of Village Raksha P.S.
Karja Distt Muzaffarpur.
3. Md. Eshtayaque Ahmad Son of Md. Wasi Ahamad Resident of Village
Ema Bishunpur, P.S Karja, Distt Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through
Mr. R.K. Mahajan. The Principal Secretary. Department of Education
Government of Bihar, Patna.
2. Mr. Sridhar C. The Director Primary Education, Government of Bihar
Patna.
3. Mr. Anupam Kumar, The District Magistrate, Muzaffarpur
4. Mr. Ganesh Dutt Jha, The District Education Officer, Muzaffarpur.
5. Mr. Awanindra Kumar Sinha, The District Programm Officer
(Establishment), Muzaffarpur
6. Mr. Amrendra Pandit, The Block Development Officer, Marwan
7. Mrs. Sharada Kumari, The Block Education Extension Officer, Marwan
8. Md. Mohsin, The Prakhanda Pramukh, Marwan.

.... Respondents / Opposite Parties.

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Appearance:

For the Petitioner/s : Mr. Ram Babu Rai, Advocate.
For the Respondent/s : Mr. Mahtab Alam, AC to SC 20 and
Mr. Manoj Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 08-05-2017 Heard counsel for the petitioners and counsel for the
State.

In this case the petitioners have raised a grievance for
non-implementation of the order dated 02.04.2014 passed by this
Court in CWJC No. 10986/2013 and analogous cases wherein this
Court has not found any illegality in the order passed by the
appellate authority and directed for fresh process of selection to be



followed with respect to the Prakhand Teacher as well as gave direction to the State authorities to take suitable action against Block Education Extension Officer, Marwan.

It has been informed to this Court that after passing of the aforesaid order dated 02.04.2014, fresh selection process was done under the supervision of a Magistrate which is apparently clear from LPA No. 2051 of 2015 wherein the Court has refused to interfere for non-selection of three candidates, namely, Saket Bihar Singh, Madhuri Singh and Dilip Kumar, on the post of Prakhand Teacher holding that the subsequent selection process giving a fresh cause of action cannot be challenged in the letters patent appeal.

In such situation, no case of contempt is made out.

This application is accordingly disposed of.

(Shivaji Pandey, J)

Dilip, AR

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