

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.6071 of 2013

Arising out of

Civil Writ Jurisdiction Case No. 20828 of 2012

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Amrendra Kumar Rai S/O Late Raj Ballabh Rai Resident Of Village Bagauchha,
P.O. Pipara, Police Station Maharajganj, District Siwan, At Present Posted And
Working As Prakhanda Teacher In Govt. Upgraded Middle School Dhorhpur Aima,
Anchal Bhagwanpur Hat, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Personnel And Administrative Reforms Department,
Govt. Of Bihar, Patna (Dr. Dharmendra Singh Gangwar).
3. Mr. Amarjeet Sinha, The Principal Secretary, Education Department,
Government Of Bihar, Patna.
4. Mr. Ajay Kumar Chaudhary, The Director, Primary Education, Bihar, Patna.
5. The District Level Compassionate Appointment Committee Through Its
Chairman, Mr. Devesh Sehro, The District Magistrate, Siwan.
6. Mr. Devesh Sehro, The District Magistrate, Siwan.
7. Mr. Abrar Ahmad, The Deputy Development Commissioner-Cum-Chairman,
District Education Establishment Committee, Siwan.
8. The Deputy Collector (Establishment), Siwan, Manoj Kumar.
9. Mr. Mahesh Chandra Patel, The District Education Officer, Siwan.
10. Mr. Lalit Narayan Rajak, The District Programme Officer (Establishment),
Siwan.
11. Mr. Monaka Das, The Block Education Officer, Bhagwanpur Hat, District
Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate



For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 20-07-2017

Petitioner was granted compassionate appointment after death of his father late Raj Ballabh Rai, who was working as Assistant Teacher. Petitioner was granted compassionate appointment in an appropriate fixed pay and as he was not paid salary in a running scale, the writ petition in question was filed. The writ petition was disposed of in terms of various orders passed in previous cases and *inter alia* contending that the claim of the petitioner has not been considered properly, this application has been filed for initiating action for contempt.

Now, from the show-cause filed by the respondents, it is seen that vide order Annexure-A dated 10.04.2013 based on various judgments rendered by this Court in L.P.A. Nos. 81 of 2010 and 127 of 2010, the claim of the petitioner has been rejected. As the rejection is based on judgments rendered by the Division Bench and there are various orders passed with regard to grant of benefit to such class of employees, once the respondents for reasons recorded by them in Annexure-A has rejected the claim of the petitioner, no case is made out for initiating action for contempt. In case the petitioner has any



grievance with regard to the manner in which the claim has been rejected, the petitioner would have liberty to challenge Annexure-A afresh in accordance with law but in the facts and circumstances of the case, keeping in view various orders passed with regard to the issue in question, I am not inclined to initiate action for contempt.

The contempt application stands disposed of accordingly.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	27.07.2017
Transmission Date	

