

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.566 of 2017

In

Civil Writ Jurisdiction Case No. 5404 of 2012

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1. Baijnath Tripathi, Son of Late Siyaram Tripathi, resident of Village-Ghoghiya, P.S.- Mashrakh, District- Saran, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Special Secretary namely R. K. Mahajan, Human Resource Development Department, Government of Bihar.
2. Dipak Anand, the District Magistrate, Saran at Chapra.
3. Md. Umair, the Deputy Collector, Establishment, Saran at Chapra.
4. Ajit Singh, the District Education Officer, Saran at Chapra.
5. Dilip Kumar Singh, the District Programme Officer (Establishment), Saran at Chapra.
6. Hari Mohan Kumar, the Anchal Adhikari, Mashrakh, Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the State : Mr. Shashi Shekhar Tiwary, A.C. to A.A.G.-5

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

9 08-02-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

It appears that prior to the passing of the order by the Writ Court, the decision by the District Compassionate Committee had already been taken. Thereafter, in pursuance to the directions passed by this Court Annexure-2 reveals that the petitioner was also required to submit certain documents. The matter has remained pending thereafter.

In view of the fact that consideration of the petitioner's case had already been made regarding his appointment



in the year 2010 itself, which fact was not brought to the notice of the Court at the time of disposal of the writ application, but for some other reason, the appointment of petitioner did not materialize. Thus, it was open to the writ petitioner/contempt petitioner to proceed for implementation of the decision of the District Compassionate Appointment Committee of the year 2010, but was not so challenged by the petitioner. However, the petitioner came before this Court only after a lapse of five years under the contempt jurisdiction.

Considering the entire facts and circumstances, it appears that no case under the Contempt of Courts Act is made out.

The present application stands dismissed with liberty to the petitioner to approach the authorities for appropriate relief, if, at all, tenable under law.

(Anjana Mishra, J)

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