

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.422 of 2015

In

Civil Writ Jurisdiction Case No. 18887 of 2008

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Ranjana Kumari Wife of Pramod Kumar Mihsra, In Charge
Headmistress, Ram Karan Thakur Girls High School,
Imansarai, P.S. - Patori, District - Samastipur.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Government of Bihar, Patna namely Sri R.K. Mahajan.
2. R.K. Mahajan, the Principal Secretary, Human Resources development Department, Government of Bihar, Patna.
3. Rambujhawan Choudhary, the Director, Secondary Education, Human Resources Development Department, Government of Bihar, Patna.
4. Brajesh Kumar Jha the District Education Officer, Samastipur, Bihar.

.... Respondents

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Appearance :

For the Petitioner : Mr. P.K. Shahi, Sr. Advocate,
Mr. Pankaj Kumar Sinha, Advocate
Mr. Rajesh Ranjan, Advocate

For the Respondents : Mr. Anjani Kumar, A.A.G.4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

13. 04-09-2018

Heard learned senior counsel for the petitioner and
learned A.A.G.-4 for the State.

After filing of the show cause on behalf of the
opposite party no. 3 sworn on 29.08.2018, learned senior
counsel representing the petitioner submits that instead of
proceeding with the contempt application in the given facts and
circumstances stated in the show cause now, he would prefer
to withdraw this application with a liberty to apply for an
appropriate remedy available on behalf of those whose claims
have been rejected by the State Government.



Mr. Anjani Kumar, learned A.AG.-4 submits that a bare reading of the show cause available on the record would show that how the District Education Officer, Samastipur has tried to incorporate the name of certain persons in the list of teaching and non-teaching staffs who were in fact not there in the school and were never appointed by the Managing Committee or had already left the School. It is submitted that a departmental proceeding has been ordered against the District Education Officer, Samastipur taking note of the indiscrepancies found in the list of District Education Officer, Samastipur.

It is further submitted that the matter of manipulations which have been done in the list of teaching and non-teaching staffs which has been now sent by the District Education Officer, Samastipur is to be enquired into and all those who will be responsible and have connived in preparation of such list shall be dealt with sternly and in accordance with law.

It is further submitted that he would have no objection if the petitioner is seeking withdrawal of the contempt application at this stage, but with liberty to the State to proceed in the matter of manipulation of records in accordance with law. It is further submitted that as regards the details of the payments made to the Ranjana Kumari and two others, the State shall make available the calculations showing the manner



in which their dues have been calculated and paid accordingly.
Such calculations shall be made available within a period of two weeks from today.

As regards the current salary of the petitioner and other two persons who have been found entitled to for such payment, it is the stand of the Learned A.A.G.4 that they will be paid the current salary.

In the aforesaid view of the matter, the contempt application is disposed of with the liberty to both the parties as submitted on their behalf and have been taken note of by this court hereinabove.

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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