

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1729 of 2013

In
Civil Writ Jurisdiction Case No.10596 of 2007

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1. Sudarshan Ram S/O Late Sheopukar Ram Resident Of Village Bagsanda, P.O. Dumaria, Police Station Tarari, District Bhojpur At Present Resides At Amlatoli, P.S. Buxar Town, District Buxar.
 2. Srikant Singh S/O Sri Sahdeo Singh Resident Of Village Belhi, P.O. Kamarpur, P.S. Buxar (MUFFASIL), District Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Divesh Sehra, The Secretary Cum Inspector General, Registration, Bihar, New Secretariat (Vikash Bhawan) Patna.
3. Binod Singh Gunjyal, The District Magistrate Cum District Registrar Buxar, District Buxar.
4. Manoj Kumar Sanjay, The District Sub Registrar, Buxar, District Buxar.
5. Binod Singh Gunjyal, The District Magistrate Buxar, District Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Atul Chandra, Advocate
For the Respondent/s : Mr. Roy Shivaji Nath, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 13-07-2018

Inter alia contending that an order passed in C.W.J.C. No.10596 of 2007 on 16.8.2012 has not been complied with, this application has been filed for initiating action for contempt. The direction issued in the writ petition reads as under:

“I, therefore, direct that as the petitioners’ right was arbitrarily denied when it was available, the Collector-cum-District Magistrate, Buxar, would consider even now because that is the only way injustice meted out to the petitioners can be undone. The Collector of the district to find out whether there



are any vacancy in the Registration Department, at the first instance, and if the petitioners are found to be qualified with age relaxation keeping in view the experience of seven long years, the petitioners would be accommodated in that position. If not then suitably in some other section and/or department through the District Establishment Committee.

The said exercise must be completed within three months from the date of production of a copy of this order before him.

Wit the aforesaid observations and directions this writ petition stands disposed of.”

Even though this contempt application was filed on 13.3.2013, after the defects were rectified, it was listed before the Court for the first time on 15.3.2017 and as the respondents were found not to have complied with the order, they were granted time to comply with the order dated 16.8.2012 and now from the 2nd supplementary show cause filed by the respondents on 13.8.2017, it is seen that after consideration of the case of both the petitioners by the District Selection Committee in its meeting held on 16.8.2017, a decision has been taken to grant appointment to petitioner No.2, namely Srikant Singh on a Group-D post in the district of Bhojpur. As far as petitioner No.1 namely Sudarshan Ram is concerned, he was not found qualified in view of the fact that he does not possess the requisite qualification as he is only



10th Class pass and, being not educationally qualified, the committee has not recommended him for appointment.

From the supplementary counter affidavit, it is clear that the claims of both the petitioners have been evaluated and the decision has been taken, even though with some delay which has been explained in the show cause notice by attributing it to certain administrative decision.

Keeping in view the aforesaid, now in this contempt application, no further action is required to be taken as the orders have been substantively complied with. However, in case any of the petitioners feels that compliance is not in accordance with the requirement of law, liberty shall be available to the aggrieved to ventilate his grievance in accordance with law.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	19.07.2018
Transmission Date	N/A

