

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.718 of 2015

In

Miscellaneous Jurisdiction Case No. 141 of 2013

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1. MRINALINI SAXENA, W/o Vijay Kumar, Resident of Saida Bazar,
Hilsa, Police Station-Hilsa, District- Nalanda Petitioner

Versus

1. The State of Bihar.
 2. The State of Bihar through Shri. Sridhar Director, Primary Education,
Bihar, Patna.
 3. Sri. B.Kartikey, District Magistrate, Nalanda. null null
 4. Sri. Kumar Sahajanand, District Superintendent of Education.
 5. Sri. Safique Ahmad, District Program Officer (Establishment), Nalanda.
 6. Sri. Ajit Kumar, Sub-Divisonal, Officer, Hilsa, Nalanda.
 7. Sri. Prem Raj, Block Development Officer, Karai Parsurai, Distt.
Nalanda.
 8. Sri. Chandra Shekhar Prasad, Block Education Officer, Karai-Parsurai,
P.S. Karai-Parsurai, District- Nalanda. null null
 9. Sri. Balchand Paswan Mukhiya of Gram Panchayat Sandh, Block Karai-
Parsurai, P.S. Karai-Parsurai, District Nalanda Opposite Parties
- =====

Appearance :

For the Petitioner : Mr. Sunil Prasad, Adv.

For the Opposite Parties : Mr. Sandeep Kumar (Ga8)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

4 02-02-2018

From the show cause filed by the opposite parties and

the material that has come on record, it is seen that after order
passed in C.W.J.C. No. 3532 of 2012, disposed of on 24.02.2012,
contempt proceedings were initiated in M.J.C. No. 141 of 2013
and on 17.09.2014, the contempt application was disposed of in
the following manner :

“Learned counsel for the petitioner accepts that in
compliance to the orders of this Court passed in the
writ matter, petitioner has been paid fixed salary of
the period upto April, 2013. Learned counsel
submits that no salary has been paid for the period
thereafter.

Learned counsel for the opposite parties submits that
now that the salary of the petitioner has started, she
will get her salary of subsequent period also soon as



and when the fund is available.”

Now complaining disobedience of the order passed in the contempt application, this second contempt application has been filed.

Apart from the fact that there is no direction in the contempt application positive for payment of salary, only assurance was given that salary would be paid subject to the availability of the fund.

Now from the show cause filed by the opposite parties, it is submitted that the petitioner is not entitled to subsequent payment as the degree based on which the petitioner was working is doubtful and the opposite parties have given justification for not paying the salary of subsequent period.

In case the petitioner has any grievance, she may raise the same before the appropriate forum in accordance with law.

In the facts and circumstances of the case, I am not inclined to initiate any contempt.

This contempt application is **disposed of**.

(Rajendra Menon, CJ)

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