

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1337 of 2017

In
Civil Writ Jurisdiction Case No.11974 of 2012

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Shri Nageshwar Thakur son of Late Pradeep Thakur, resident of Village P.O.-
Nawada, Bokane, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar, Through Secretary, Primary Education, Govt. Of Bihar and Ors
2. The Secretary, Primary Education, Govt. of Bihar, Vikash Bhawan, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The District Education Officer, East Champaran, Motihari.
5. District Deputy Inspector of Education, East Champaran, Motihari.
6. The Block Education Officer, Patahi Block, East Champaran.
7. The Head Master, Patahi Middle School Boy, Patahi, East Champaran, Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Ashutosh Ranjan Pandey - Aag 15

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 17-04-2019 No body appears on behalf of the petitioner.

This application under Section 12 of the Contempt of Courts Act read with Article 215 of the Constitution of India has been filed by the petitioner for initiation of contempt proceeding against the opposite parties for their willful and deliberate disobedience in non-compliance of the order dated 20.12.2016 passe in CWJC No. 11974 of 2012.

A show cause has been filed on behalf of the opposite party no. 3 in which it has been stated that the order passed by



this Court has been complied with. Paragraph no. 5 and 6 of the said show cause read as under:-

“5. That as soon as the matter of pending compliance of the order of the Hon’ble Court came to the notice, the answering O.P called for report from the District Education Officer, East Champaran vide letter no. 3854 dated 18.12.2017 and letter no. 16 dated 03.01.2018 about compliance of the order of the Hon’ble Court. It has been reported by the District Programme Officer (Establishment), East Champaran vide letter no. 8 dated 04.01.2018. That all the post retiral dues including gratuity and interest payable thereon have been paid to the petitioner.

6. That order of the Hon’ble Court has been complied with....”

Learned counsel for the state also submitted that the order passed by this Court in CWJC No. 11974 of 2012 has been fully complied with.

Considering the submission made by the learned counsel for the state as also the stand taken by way of filing show cause as noted above, I am of the opinion that no case for initiation of contempt proceeding is made out. The application is dismissed.

(Ashwani Kumar Singh, J)

pradeep/sneha

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