

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.133 of 2016

In

Civil Writ Jurisdiction Case No.16282 of 2014

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Bhola Prasad Yadav S/o Parmeshwari Prasad Yadav R/o Village- Kahara, P.O. Kahara Madanpur, P.S. Patarghat, District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary Human Resources Development Department and Ors Government of Bihar, Patna Sri R.K. Mahajan.
2. The Principal Secretary, Human Resources Development Department Government of Bihar, Patna Sri R.K. Mahajan.
3. The Director Primary Education Bihar, Patna, Sri Sridharsi.
4. The District Primary Teacher Promotion Committee Saharsa District- Saharsa through its Chairman District Education Officer, Saharsa, District Saharsa, Sri Md. Abdul Khalid.
5. Sri Prabhashanker Singh, The Regional Deputy Director of Education Koshi Division, District- Saharsa.
6. Sri Md. Abdul Khalid, The District Education Officer Saharsa, District- Saharsa.
7. Sri Nand Kishore Ram, The District Programme Officer (Establishment) Saharsa, District- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta
For the Opposite Party/s : Mr.Gp1 U S S Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

8 18-02-2019 Having regard to the order passed by the writ Court and the office order issued by the District Programme Officer, Establishment, Saharsa, the Court is not inclined to proceed any further in the contempt jurisdiction, as the scope of contempt Court is confined to see that the order passed by the writ Court is complied with.

With reference to the judgment passed by the Apex Court reported in *(2006)1 SCC 613 Union of India and Ors.*



Vs. Subedar Devassy and (2014) 3 SCC 373. The Court finds that no further direction can be issued in exercise of contempt jurisdiction.

The issue of discrimination and pick and chose can appropriately raised in writ proceeding. Hence, liberty shall be available to the petitioner to approach the appropriate forum/Court raise the issue of discrimination in the matter of grant of benefit.

With the aforesaid, the present contempt application stands disposed of.

(Anil Kumar Upadhyay, J)

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