

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5088 of 2018

In
Civil Writ Jurisdiction Case No.21678 of 2013

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- 1) Awadh Narayan Yadav, son of Late Mishri Lal Yadav, resident of village, Nirmali, Post, Sanskrit Nirmali, Bhaya- Baluaa Bazar, District, Supaul
 - 2) Md. Manzoor Alam, Son of late Isha Village, Hafla Makhdumpur, P.S. Sernea, District, Katihar
 - 3) Maqsudur Rahman, C/o Rabia Erfani, Road No.9, Rajendra Nagar, Patna, 800016
 - 4) Sanjay Ballabh Yadav, C/o Raj Traders Agency Gate No.15, Kankerbag, Patna, Near Rajendra Nagar Terminal, Patna
 - 5) Shatrughan Sahani, son of late Bhola Sahani, Village, Jagdishpur, Post- Nehra, District, Darbhanga
 - 6) Baliram Yadav, son of Sri Ram Kewal Yadav, resident of village and post- Kulhandiya (Purav Tola), Mohalla, Jamdarin ke Bagicha Me (Eastern Side), P.S. Koilwar, District, Bhojpur, Ara, Pin 802160
 - 7) Sayed Rijwan, son of Sayad Azamal Karim, Mohalla, Golakpur, Amanant Colony, Post, Mahendru, Patna-800006
 - 8) Ram Awadhesh Yadav, son of Sri Algu Chaudhary, resident of Harwasha, Post and P.S. Gopalganj, District, Gopalganj
 - 9) Harendra Kumar Singh, son of Sri Mannu Lal Yadav, resident of Mohalla, Danapur, Gola Road, P.O. + P.S. Danapur Cant, District, Patna, Pin 801503
 - 10) Sushil Kumar Yadav, son of Ram Swarup Yadav, resident of village, Rahi, Post, Hardi, P.S. Rudrapur, District, Madhubani
 - 11) Amit Kumar Singh, son of late Brij Ballabh Singh, resident of Village, Charua, Post, Khusrupur, P.S. Daniyawa, District, Patna
 - 12) Umesh Roy, son of Sri Ram Swarath Roy, resident of village, Bir Singh Pur, Post, Basudeopur, P.S. Kalyanpur, District, Samastipur
 - 13) Shahid Hussain, son of Md. Zakil Hussain 62/A, Apna Gharana, New Milk Coloney, Phulwari Sarif, patna
 - 14) Mukesh Kumar, son of Sri Uma Shankar Verma, resident of village, Chitrigupt Nagar, Road No.9 A, Takiyapar, Danapur, Patna

... .. Petitioner/s

Versus

- 1) The State Of Bihar through Mr. R. K. Mahajan, the Principal Secretary, Education Department, Govt. of Bihar, Patna
- 2) Mr. R. K. Mahajan, the Principal Secretary, Education Department, Govt. of Bihar, Patna
- 3) Mr. Giriwar Dayal Singh, the Director, Secondary Education, Govt. of Bihar, Patna
- 4) Mr. Anand Kishore, the Chairman, Bihar School Examination Board, (Senior Secondary), Budh Marg, Patna
- 5) Mr. Anup Kumar Sinha, the Secretary, Bihar School Examination Board, (Senior Secondary), Budh Marg, Patna

... .. Opposite Party/s



Appearance :

For the Petitioner/s : Mr. Md. Shakir Ahmad
For the Opposite Party/s : Mr. Ashutosh Ranjan Pandey - Aag 15

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

Date : 11-02-2019

Heard learned counsel for the petitioner, learned counsel for the State of Bihar as well as learned counsel for the Bihar School Examination Board.

This contempt petition has been filed for initiation of contempt proceeding against the contemnor – opposite parties for deliberate and willful violation of the order dated 03.04.2018 passed by this Court in C.W.J.C. No.21678 of 2013.

Petitioners had filed writ petition to regularize their services and to grant benefit of regular employee from date of their appointment in terms of report of Three Members Committee as approved by judgment and order dated 13.02.2018 passed by Apex Court in S.L.A. (C) No.34154 of 2016 and writ petition was disposed of to consider the case of petitioners in terms of judgment passed by Apex Court.

A show cause has been filed on behalf of opposite party nos.4 and 5 in which it has been stated that in terms of direction issued by this Court, the case of the petitioners were considered by the competent authority and dismissed by memo no.44 dated 18.01.2019 as contained in Annexure A to the show cause



affidavit.

A show cause has also been filed on behalf of opposite party no.2 and 3 in which it has been stated that the case of petitioners were considered at the level of State Government and ultimately the State Government came to the conclusion that the appellants do not confirm the parameters as laid down and, accordingly, their case was rejected vide Annexure A to show cause.

After hearing the parties and going through the show cause filed on behalf of the opposite parties, this Court is of the opinion that opposite parties have complied the direction passed by this Court in C.W.J.C. No.21678 of 2013 dated 03.04.2018 as such, present contempt petition is dismissed. However, it will be open for the petitioners to challenge the order as contained in Annexure A of show cause in appropriate proceeding in accordance with law.

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.02.2019
Transmission Date	NA

