

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1137 of 2021

In
Miscellaneous Jurisdiction Case No.3968 of 2016

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1. Ram Pravesh Ram Son of Bhola Ram Resident of village- Ram Nagar, P.O.- Bhaluahi, P.S.- Nokha, District- Rohtas.
 2. Bindhayachal Singh Son of Late Dewa Nand Singh Resident of village- Bhartha Dih, P.O.- Kirihi, P.S.- Karakat, District- Rohtas.
 3. Ram Kumari Devi Wife of Suresh Singh Resident of village- Ram Nagar, P.O.- Bhaluahi, P.S.- Nokha, District- Rohtas.
 4. Kameshwar Sharma Son of Rama Shankar Sharma Resident of village- Akarhiya, P.O.- Chitauna, P.S.- Nokha, District- Rohtas.
 5. Dharmashila Devi Wife of Ram Lakhan Ram Resident of village- Suara, P.O.- Karma, P.S.- Suryapura, District- Rohtas.
 6. Harendra Tiwary Son of Late Ran Vijay Tiwary Resident of village- Shivpur Tiwary Tola, P.O.- Shivpur, P.S.- Bikramganj, District- Rohtas.
 7. Sanjay Kumar Son of Baban Ram Resident of village and P.O.- Ghusiya Kala, P.S.- Bikramganj, District- Rohtas.
 8. Awadhesh Ram Son of Sri Ram Resident of village- Dumariya, P.O.- Nonhar, P.S.- Bikramganj, District- Rohtas.
 9. Sunana Devi Wife of Sri Ram Ram Resident of village- Padumanpur, P.O.- Kajhai, P.S.- Bikramganj, District- Rohtas.
 10. Parwati Kuer wife of late Ramesh Singh Resident of village- Satya Narayan Tola, P.O.- Jonahi, P.S.- Bikramganj, District- Rohtas.
 11. Dhanraj Ram Son of Late Hridaya Nand Ram Resident of village- Jigani, P.O.- Tilai, P.S.- Sanjholi, District- Rohtas.
 12. Mohan Prasad Son of Sita Ram Resident of village- Jigani, P.O.- Tilai, P.S.- Sanjholi, District- Rohtas.
 13. Arvind Ram Son of Ayodhya Ram Resident of village- Suara, Milki, P.O.- Karma, P.S.- Suryapura, District- Rohtas.

... .. Petitioners.

Versus

1. The State of Bihar.
2. Sri Sanjay Kumar, Principal Secretary, Education Department, Government of Bihar, Patna.
3. Sri Sanjay Kumar, Director, Mass Education, Education Department, Government of Bihar, Patna.
4. Sri Dharmendra Kumar, District Magistrate, Rohtas, Sasaram.
5. Sri Narayan Ranjan Kumar Verma, District Education Officer, Rohtas, Sasaram.
6. Rohit Roushan, District Programme Officer, Literacy, Rohtas, Sasaram.



... .. Opposite Parties.

Appearance :

For the Petitioners : Mr. Shashi Shekhar Tiwary, Advocate.
For the State : Mr. AAG-15.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

9 06-12-2023 The present M.J.C. Petition is filed for non-compliance of the order of this Court dated 23.02.2017 passed in M.J.C. No.3968 of 2016.

2. On 22.11.2023, the following order was passed:

“Respondents have not complied the orders of this Court. Merely, show cause has been filed stating that petitioners are not eligible. Such statement is deprecated in the absence of any speaking order. In the absence of speaking order, one cannot draw inference that there is compliance to the orders of this Court dated 23.02.2017 passed in M.J.C. No.3968 of 2016. Even after lapse of five years, the respondents have not proceeded to pass a detailed speaking order. Therefore, merely, stating that the petitioners are not eligible by means of statement in the show cause cannot be accepted and it is hereby rejected. The concerned respondent is hereby directed to comply the orders of this Court failing which



he shall be summoned on the next date of hearing.

2. Re-list this matter on 06.12.2023.”

3. In this backdrop, the concerned authority is stated to have passed the speaking order on 28.11.2023.

4. Accordingly, the present M.J.C./Contempt Petition stands dropped reserving liberty to the petitioners to assail the speaking order, in accordance with law.

5. Respondents are hereby directed to pay litigation cost and it is quantified at Rs.5000/-. The cost shall be paid to the petitioners, within a period of eight weeks from today. The cost has been imposed for the reasons that there is enormous delay of about 5 years in complying the orders of this Court.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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