

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3096 of 2015

In
Civil Writ Jurisdiction Case No.9456 of 2007

-
1. Uma Shankar Pandey and Ors son of Sri Ram Naresh Pandey, resident of village Bartara, P.S. and District Lakhisarai.
 2. Ramashankar Pandey, son of Ram Pravesh Pandey, resident of village Bartara, P.S and District Lakhisarai.
 3. Radha Devi wife of Late Bhagirath Singh, resident of village Sobni, P.S Surajgarha, District Lakhisarai.
 4. Bambam Yadav @ Narendra Yadav @ Bambam Yadav, son of Sri Parmeshwar Yadav, resident of village Damodarpur, P.S. and District Lakhisarai.
 5. Md Akbar Ali, son of Khudabux Khan, resident of village Garhi, Bishunpur, P.S. and District Lakhisarai
 6. Rabindra Kumar Das, son of Birendra Das, resident of village Mohisona, P.S. and District Lakhisarai.
 7. Jay Shankar Pandey, son of Ram Naresh Pandey, resident of village Bartara, P.S and District Lakhisarai.
 8. Sujit Kumar, son of Sri Saryug Das, resident of village Mohisona, P.S. and District Lakhisarai.
 9. Birendra Prasad, son of Jahro Mahto, resident of village Manpur, P.S. Halsi, District Lakhisarai.
 10. Rajesh Kumar Suman , son of Bhaghinath Prasad Sinha, resident of village Maheshpur, P.S. Chanan and District Lakhisarai.
 11. Raj Kumar Yadav, son of Baldeo Prasad Yadav, resident of village Damodarpur, PS and District Lakhisarai.
 12. Md. Jamal Siddiqui, Son of Sheikh Samid, resident of village Balori, P.s. and District Lakhisarai.
 13. Sanjay Kumar Sinha, son of Devendra Kumar Sinha, resident of village Rajona, P.S. and District Lakhisarai.
 14. Sanjay Kumar son of Baldeo Prasad, resident of village Damodarpur, P.S. and District Lakhisarai.
 15. Rajiv Kumar Suman son of Late Krishna Mohan Maharaj, resident of village Surajgarha, P.S. Surajgarha, and District Lakhisarai.
 16. Mahendra Das, son of Late Yogi Das, resident of village Mohisona, PS and District Lakhisarai.
 17. Ajay Kumar son of Sheonandan Prasad, resident of village Bampur, P.S. Nagarnausa, and District Nalanda.
 18. Wakil Kumar son of Palakdhari Yadav, resident of village Garhi, Bishunpur, P.S. and District Lakhisarai.
 19. Ram Jugat Paswan, son of Late Bisu Paswan, resident of village Kauhal Tola, P.S. Barahiya, District Lakhisarai.



20. Chandradeo Mandal, son of Sri Dukhi Mandal, resident of village Khagaur, P.S. and District Lakhisarai.
21. Bundi Prasad Yadav, son of Sri Gorelal Yadav, resident of village Damodarpur, PS and District Lakhisarai.
22. Sudhir Kumar Raut, son of Sri Yogendra Raut, resident of mohalla Punjabi PS and District Lakhisarai.
23. Ram Narayan Paswan son of Chandra Shekhar Das, resident of village Navatolia, Bindwara, P S Kasim Bazar, and District Munger.
24. Bhivash Kumar, son of Late Anirudh Prasad Singh, resident of village Kuer Basti, Anchana Road, P.S District-Lakhisarai.
25. Surendra Kumar Das, son of Birendra Das, resident of village Mohisona, P.S. District Lakhisarai.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Mr. Gopal Heena Collector, Lakhisarai, District-Lakhisarai
3. The Alok Kumar Deputy Collector, Nazarat District Lakhisarai. null null

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mani Shanker Pd. Advocate
For the Opposite Party/s : Mr. Khurshid Alam, AAG

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

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

14 16-05-2023

The present MJC is filed, in compliance of the order dated 11.04.2012 passed by CWJC 9456 of 2007, the petitioners are candidates for recruitment of class-IV post in the Collectorate. Due to non selection, they have filed CWJC 9456 of 2007, it was disposed of on 11.04.2012. Extract of the order dated 11.04.2004 reads as under:

“In such view of the matter, I have no option but to direct the Collector,



Lakhisarai to revisit the select list and the appointment made pursuant to Advertisement No. 1/2002, Annexure-3, and prepare fresh list of selectees as per guidelines contained in the aforesaid circulars/letters dated 3.12.1980, 26.5.1987 and 25.4.1997 as early as possible, in any case, within two months from the date of receipt/production of a copy of the order before the Collector, Lakhisarai. In the event, after preparation of the fresh select list in compliance of the direction of this Court, if those who have already been appointed pursuant to Advertisement No. 1/ 2002 are required to be removed from service, notice be given to appointees and after hearing them appropriate order be passed in accordance with the law.”

For non-compliance of the order, the petitioners filed contempt petition namely MJC No. 3096 of 2015 and its pending consideration for the last 8 years. During pendency of the present petition on 27.12.2022, the respondents were stated complied the orders of this court dated 11.04.2012 passed in CWJC 9456 of 2007. A copy of the compliance order has not been served on the petitioner counsel for the last about 5 months. Taking note of all these dates and events, there is no seriousness in complying the orders of this Court dated



11.04.2012 for more than one decade. In other words, orders have been complied only on 27.12.2022 despite the fact that the contempt is pending consideration from the year 2015.

In view of these facts and circumstances, the concerned respondent are hereby directed to pay a cost of Rs. 1,00,000/- shall be remitted in the High Court Legal Service Authority within a period of eight weeks from today.

In the light of the order dated 27.12.2022 to the extent that the petitioner's grievance has been rejected.

Accordingly, the petitioners are at liberty to question the validity of the order dated 27.12.2022, if they are aggrieved in filing separate CWJC with the above observation.

The present contempt petition stands dropped.

(P. B. Bajanthri, J)

(A. Abhishek Reddy , J)

gaurav/abhishek-

U			
---	--	--	--

