

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1506 of 2021

In
Letters Patent Appeal No.981 of 2017

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- 1.1. Bipul Kumar S/o Girdhari Prasad Yadav R/o Village- Kataiya, P.O.- Satgama, P.S.- Satgama, District- Kodarma.
 - 1.2. Bipin Kumar Yadav S/o Girdhari Prasad Yadav R/o Village- Kataiya, P.O.- Satgama, P.S.- Satgama, District- Kodarma.
 - 1.3. Sanju Kumari W/o Mahesh Prasad R/o Village- Naraydoh Simardih, P.O.- Basodih, P.S.- Basodih, District- Kodarma.
 - 1.4. Manju Devi W/o Shiv Balak Prasad Yadav R/o Village- Kanikand, P.O.- Mirganj, P.S.- Satgawan, District- Kodarma.
 - 1.5. Anju Devi W/o Shailesh Kumar R/o Village- Pranpur, P.S.- Asrahi, District- Nawada.

... .. Petitioners.

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. Sri Sanjay Kumar, son of not known to the petitioner, the Principal Secretary, Education Department, Government of Bihar, Patna.
3. Sri Giribar Dayal Singh, son of not known to the petitioner, the Director, Secondary Education, Government of Bihar, Patna.
4. Sri Ashwani Kumar, son of not known to the petitioner, the District Programme Officer (Establishment), Jamui.
5. Sri Ravi Kumar, son of not known to the petitioner, District Education Officer, Jamui.
6. Sri Suresh Kumar, son of not known to the petitioner, the Headmaster, T.D. BanwasiBikas Plus 2 High School Bichkodwa (Chakai) District-Jamui.

... .. Opposite Parties.

Appearance :

For the Petitioners : Mr. Ambrish Kumar Jha, Advocate.
For the State : Mr. Ajay Kumar Rastogi (AAG- 10)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

9 05-10-2023 The present M.J.C. petition is filed for non-



compliance of the order of this Court dated 12.01.2018 passed in L.P.A. No.981 of 2017, arising out of C.W.J.C. No.14069 of 2015. This Court has only made an observation which is as under:

“In case the petitioner feels that in spite of dismissal he is entitled to Leave Encashment or any other monetary benefit, liberty is granted to the petitioner to raise an appropriate claim before the competent authority in this regard and the competent authority is directed to decide the same by a speaking order within 30 days of its presentation.

With the aforesaid liberty to the petitioner and modification to the order passed in the writ petition, the appeal stands disposed of.”

2. The pensionary benefits of the original petitioner, namely, Girdhari Prasad Yadav, have been forefitted in view of the alleged incident relating to obtaining appointment in the State by playing alleged fraud. Therefore, he is not entitled to with reference to whatever the observation made by this Court. In this regard, an order has been passed on 10.01.2019 along with the show cause at Annexure- ‘A’ . Thereafter, the present M.J.C. is filed in the year 2021. In view of these developments, the present M.J.C./ Contempt Petition stands dropped reserving



liberty to the petitioners to invoke appropriate remedy if it is available to them in respect of challenging the order dated 10.01.2019, in accordance with law.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

P.S./-Manish/-

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