

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3600 of 2017

In
Letters Patent Appeal No.1029 of 2017

=====

Janardan Rai, Son of late Keshav Rai, resident of Village- Nalanda Colony,
Khajepura, P.S. Rajeev Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. R. K. Mahajan, Principal Secretary, Education Department, New Secretariat,
Government of Bihar, Patna
3. Sushil Kumar, Director (Administration) Education Department, New
Secretariat, Govt. of Bihar, Patna
4. C. Suresh Kumar, Accountant General, Bihar, Veer Chand Patel Path, Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pratap Sharma, Advocate
For the Opposite Party/s : Mr. Shashi Shekhar Tiwari, AC to AAG- 15

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

Date : 20-04-2023

Heard Mr. Pratap Sharma, learned
counsel appearing on behalf of the petitioner and
Mr. Shashi Shekhar Tiwary representing the State
of Bihar.

2. Being aggrieved by the order
rejecting the claim of the petitioner for grant of
ACP by the learned writ court, the petitioner
preferred L.P.A. No. 1029 of 2017, which was



disposed of keeping in view the order of the Hon'ble Supreme Court in Civil Appeal No. 8226-8227 of 2012 in contempt petition (Civil) No. 88-89 of 2013, granting liberty to the petitioner to file representation claiming benefit, in respect to ACP as per Supreme Court's order.

3. In compliance of the order of this Court dated 31.07.2017 passed in LPA No. 1029 of 2017, the Director (Administration), Education Department has disposed of the representation of the petitioner vide letter contained in Memo No. 1728 (24) dated 15.12.2022.

4. A rejoinder to the show-cause has been filed and it has been vehemently argued on behalf of the petitioner that the above-noted order of the opposite party no.3 reflects defiance of the order of this Court.

5. Needless to observe, if the petitioner is not satisfied with the order passed by the concerned opposite party, he is at liberty to assail the same.

6. Accordingly, the present contempt



application stands disposed of with the liberty
aforesaid.

(Ashutosh Kumar, J)

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.04.2023
Transmission Date	NA

