

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2036 of 2019

In
Letters Patent Appeal No.923 of 2014

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Anil Singh Son of Bateshwar Prasad Singh Resident of Village Nandlal Patti,
P.O. Sultanpur, P.S.Amarpur, District Banka, at present working as Assistant
Teacher, Project Girls High School, Chandan, Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri R.K. Majahan, The Principal Secretary, human Resources Development
Department, Govt. of Bihar, Patna.
3. Sri Kamal Kumar Sinha, The Director Secondary Education Bihar, Patna.
4. Sri Bachchu Narayan Singh The Deputy Director, Secondary Education,
Bihar, Patna.
5. Sri Md. Maslimuddin, Regional Deputy Director (Education), Bhagalpur,
District- Bhagalpur.
6. Sri M. Hussan, The District Education Officer, Banka, District- Banka.
7. Sri Anup Kumar Sinha The Chairman of Three Men committee, Human
Resources Development Department, New Secretariat, Patna posted as
Secretary.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s :	Mr. P.K. Shahi, Advocate General assisted by Mr. Vinay Kirti Singh, GA II Mr. Ram Vinay Pd. Singh, Advocate

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

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

20 19-12-2023 On 04.12.2023 respondents were stated to have

filed show cause and the same was not apprised by the learned

counsel appeared on behalf of the State/respondents on



05.12.2023. It is submitted that on 02.12.2023, a detailed speaking order has been passed and communicated to the petitioner.

2. In view of these facts and circumstances, the present MJC/contempt petition stands dropped reserving liberty to the petitioner to assail the order dated 02.12.2023, in accordance with law.

3. At this stage, learned counsel for the petitioner submitted that petitioner's name was reflected in the 2009 list and he is entitled to salary attached to the post of Teacher. However, learned counsel for the respondents is disputing that petitioner never worked during the intervening period from the year 2010, however, it is even disputed by the learned counsel for the petitioner. If the petitioner is disputing and he has sufficient material evidence to establish that he had worked during the intervening period, in that event, those material evidence shall be placed before the Director. The Director is hereby directed to revisit the grievance of the petitioner with reference to the documents to be produced by the petitioner and proceed to pass yet another speaking order after taking note of the materials to be produced by the petitioner.

4. The above exercise shall be completed within a



period of three months from the date of receipt of petitioner’s representation along with documents to be produced.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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