

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2220 of 2017
In
Civil Writ Jurisdiction Case No.12302 of 2016

Upendra Rajbanshi son of Ramjee Rajbanshi, resident of Village- Dhaukal,
P.S. Atri Mohra, District Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate/ Collector, Gaya, namely Kumar Ravi
3. The Deputy Development Commissioner, Gaya namely Sanjeev Kumar
4. The District Education Officer, Gaya, namely Md. Alim
5. The District Programme Officer, Madhyamik Shiksha cum Shaksharta, District Lok Siksha, Gaya namely Rajani Ambastha
6. The Block Education Officer, Mohara, Gaya, namely Gayatri Devi
7. The Block Development Officer, Mohara, P.S. Atari, Gaya namely Kamla Kumari
8. Ram Deo Das Son of not known to the petitioner, resident of Village Sevtar, P.S. Atari, District Gaya, the Headmaster Primary School, Dhaweal Bigha, P.S. Mohra, District Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s : Mr. Vinay Kumar Mishra, AC to AAG 15

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 21-09-2023

None appears on behalf of the petitioner.

2. On the last occasion when the matter was taken up
on 07.08.2023 there was none to represent on behalf of the
petitioner.

3. It is submitted on behalf of the State that the order
of this Court has already been complied and in this regard a



show cause was also filed showing compliance of the order of this Court. However, on account of inadvertence, despite show cause affidavit sworn by the District Education Officer, Gaya vide Oath No. 6212 dated 09.05.2022, the same could not be filed which resulted into passing of the order dated 07.08.2023, allowing the opposite parties to file show cause subject to payment of Rs. 2000/- and in case there would be no show cause on record within next three weeks further cost of Rs. 3000/- is to be paid by the District Education Officer, Gaya from his own pocket.

4. Learned counsel for the State candidly submits that there was an inadvertence on the part of the office of the learned counsel which resulted into non-communication of the fact that show cause affidavit was already prepared but could not be filed and, as such, he prays for recall/modification of the order dated 07.08.2023 by filing Interlocutory Application No. 1 of 2023, to the extent whereby costs have been imposed.

5. In view of the averments made in the Interlocutory Application, the order dated 07.08.2023 is modified whereby costs have been imposed and, thus, I.A. No. 1 of 2023 stands disposed of.

6. Further this Court finds that the order of this Court



has already been complied, the present contempt petition stands disposed of.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	23.09.2023
Transmission Date	N.A.

