

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3441 of 2019

In
Civil Writ Jurisdiction Case No.19849 of 2013

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Anju Kumari Wife of Naresh Prasad Verma Resident of Flat No. 105, Smriti Apartment, DVC Chowk, Jakkanpur, P.S.- Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Human Resources Development, Govt. of Bihar, Patna.
2. Bihar Staff Selection Commission through its Secretary, Govt. of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Om Prakash Om
For the Opposite Party/s : Mr. Ashutosh Ranjan Pandey (Aag 15)

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner submits that the contempt application has been filed alleging violation of the order dated 30.10.2018 in CWJC No. 19849 of 2013.

Learned counsel for the State submits that from bare perusal of the order dated 30.10.2018 in CWJC No. 19849 of 2013, it would manifest that no mandamus was issued by this Court upon the authorities, rather, this Court while considering the writ application had recorded that -:

Considering the fact that the matter relates to advertisement No. 188, which led to series of litigation and



thereafter, appointments have been made, no positive directions can be issued in the present writ application.

Learned counsel for the State thus submits that the Writ Court very clearly recorded that no positive directions can be issued upon the authorities with respect to advertisement No. 188. It is next submitted that, however, a liberty was granted to the petitioner to approach the Director Secondary Education for getting his case considered in the event if any persons near to him have been appointed and there exists any vacancy for appointment of Assistant Teacher, Biology.

Learned State counsel submits that in pursuance of the order passed by the Learned Writ Court, the Director has already issued an order contained in letter No. 1685 dated 19.08.2019.

Learned counsel for the petitioner does not dispute the said submission of the learned counsel for the State but then submits that the consideration is not in accordance with the order passed by the Learned Writ Court.

Be that as it may, the Court does not feel persuaded to proceed with the contempt application.

The contempt application is, accordingly, dismissed.

However, in the event if the petitioners are aggrieved by the action of the Director Secondary Education, Govt. of



Bihar, the petitioners can avail their remedy available in law.

(Satyavrat Verma, J)

HarshPandey/-

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