

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2313 of 2017

In
Civil Writ Jurisdiction Case No.2048 of 2017

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1. Madhu Kumari and Ors daughter of Kapildeo Singh, wife of Sunil Kumar Resident of Village- Autapur, P.O.- Barhi Bigha, P.S.- Dhananua, District- Patna Bihar.
 2. Shashi Kant son of Sri Surendra Sharma Resident of Village- Manan Bigha, P.O.- Sarta, P.S.- Paras Bigha, District- Jehanabad Bihar.
 3. Kamlesh Kumar Pandey son of Sri Baleshwar Pandey Resident of Village- Repura, P.O.- Bhergawan, P.S.- Kadirganj, District- Patna Bihar.
 4. Vijay Kumar son of Sri Kaushal Kishore Pandey Resident of Village- Mahrajchak, P.O.- Masaurhi P.S.- Masaurhi, District- Patna Bihar.
 5. Pramod Kumar Pathak son of Sri Ganeshji Pathak Resident of Village- Dhanchhuhan, P.S.- Chauri District- Bhojpur Bihar.
 6. Anjana Kumari wife of Ranvir Kumar Resident of Village- Baldeo Place, Beni Madhav Lane, G.M. Road, P.O.- Bankipur, P.S- Pirbahore, District- Patna Bihar.
 7. Manoj Kumar son of Sri Arjun Prasad Singh Resident of Village- Lakhanpur, Lakhanpur, P.S.- Punpun, District- Patna Bihar.
 8. Rakesh Kumar Sharma son of Sri Rama Shankar Sharma Resident of Mohallah- Rai Jai Krishna Road, Mithan Ghat, Gurhatta, PO- Patna City, PS- Khajekalan, District- Patna Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Sri R. K. Mahajan, The Principal Secretary, Human Resource Development D
2. Sri Rajeev Prasad Singh 'Ranjan' The Director, Secondary Education, Government of Bihar, Bihar Seco
3. Sri Triloki Singh, The Regional Deputy Director of Education, Patna.
4. Dr. Priyanandan Prasad, The District Education Officer, Jehanabad.
5. Sri Chandra Bhushan Lal, The District Programme Officer Education, Jehanabad.
6. Sri Ramrup Prasad, The Secretary, District Board, Jehanabad.
7. Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Jehanabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Priyadarshi Matri Sharan, AC to AAG-13



CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

8 11-01-2023 The petitioner has alleged disobedience of this Court's order dated 25.04.2017 passed in CWJC No. 2048 of 2017, relevant portion of which reads as under:-

6. Having considered the aforesaid, the writ petition stands disposed off with liberty to the petitioners, to file a representation before the Principal Secretary, Education Department, Government of Bihar, Patna within two weeks from today along with a copy of this order. The petitioners shall be at liberty to request the Principal Secretary to consider their appointment taking into consideration the fact that more sets are required to be filled up, the Chairman of the Zila Parishad, Jehanabad also requesting for filling up of vacant posts and also any decision of the Court with regard to similarly situated persons. If such representation is filed within the time stipulated, the Principal Secretary, Education Department, Government of Bihar, Patna shall pass a reasoned order after hearing the petitioners or their representative, within four weeks from the date of filing such



representation.

7. It is made clear that the Court has not expressed any opinion on the merits of the matter and the Principal Secretary shall be free to independently taken a decision after considering all aspects and in accordance with law.

It transpires that pursuant to the said order of this Court the Principal Secretary, Education Department, Government of Bihar, has passed an order on 13.06.2017.

Learned counsel appearing on behalf of the petitioner has a grievance that despite the fact that nine posts of Librarian are vacant in the Zila Parishad, Jehanabad, only two have been appointed pursuant to this Court's order and the subsequent decision of the Principal Secretary, Education Department, Government of Bihar, dated 30.06.2017.

It is manifest from the order of this Court dated 25.04.2017, that there was no direction to make any appointment. The direction was to the Principal Secretary, Education Department, Government of Bihar, to pass a reasoned order after hearing the petitioners or their representatives, which part has been complied with. A reasoned order has already been passed. In my considered view, thus, the order of this Court



stands complied with. If the petitioner has any grievance against the opposite parties in relation to their appointment, they shall be at liberty to pursue their remedy before an appropriate/a competent authority or take such other recourse of law as may be permissible to them.

This contempt proceeding stands dropped.

(Chakradhari Sharan Singh, J)

anand/-

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