

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3736 of 2018

In
Civil Writ Jurisdiction Case No.13355 of 2017

1. Ashok Kumar Singh, Son of Late Janak Singh, Resident of Village and P.O. Dumari Ada, P.S.- Doriganj, District Saran at Chhapra, retired Headmaster of Gagandeo Narayan Singh High School, Dhanaura, P.O. Kothia, P.S. Autarnagar, District- Saran.
2. Jitendra Narayan Singh, Son of Sri Mangal Prasad Singh, Resident of village and P.O. Pokhrai, P.S. Taraiya, District- Saran at Chhapra, Presently posted as a Clerk in Prabhunath Jamadar High School Pokhrai, Anchal Taraiya, District- Saran.
3. Alok Kumar, Son of Sri Subhash Pandey, resident of Village and P.O. Puchhari, P.S. Baniapur, District- Saran at Chhapra, presently posted as an Assistant Teacher in Pyaro Devi High School, Dumari, Anchal Khairi, District- Saran.
4. Ali Azam Ansari, Son of Mahmood Ansari, Residing at Khairi, P.O. and P.S.- Khairi, District Saran at Chhapra, presently working as an Assistant Teacher Dr. Saiyad Mahmood Memorial Girls High School, Mahmood Chak Chhapra, Anchal Sadar, District- Saran.
5. Chandra Mohan Singh, Son of Late Vishwanath Singh, resident of Village and P.O.- Rasalpur, P.S. Doriganj, District- Saran at Chhapra, presently working as Headmaster in High School Dumari Ada, Anchal Sadar, District- Saran.
6. Pramod Kumar, Son of Badri Das, resident of Village and P.O. Kharika, P.S. Sonpur, District- Saran at Chhapra, Presently working as an Assistant Teacher in Ram Sunder Das Girls High School, Kharika Anchal Sonpur, District Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary Mr. Deepak Kumar, Govt. of Bihar, Old Secretariat, Patna
2. Mr. R.K. Mahajan, the Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna
3. Mr. Rajeev Ranjan Prasad Singh, the Director, Secondary Education, Govt. of Bihar, Budh Marg, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Priyadarshi Matri Sharan, AC to AAG- 15
	Mr. Sudhanshu Trivedi, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

8 07-10-2023 Heard Mr. Sunil Kumar Singh, learned counsel



appearing on behalf of the petitioners and the learned counsel for the State.

2. The present application has been filed seeking initiation of contempt proceeding against the opposite parties for their alleged willful defiance of the order dated 20.04.2018 passed by a Bench of this Court in C.W.J.C. No. 13355 of 2017 whereby taking note of the judgment rendered by the Apex Court direction has been given to the respondents-opposite parties to distribute the fund under the Bit Rahit Shiksha Niti on uniform basis without following pick and choose.

3. It has been made clear that in case the other institutions have been granted the benefit of allocation of fund based on performance of the students of the institution, the State-authorities are required to provide fund to all such institutions and adopt uniform standard.

4. Show-cause affidavits have been filed on behalf of the opposite parties no. 2 and 3 and averments have been made that in compliance of the order of this Court a sum of Rs.3,44,15,91,600/- has been sanctioned vide Memo No. 83, dated 13.12.2018, issued under the signature of Deputy Secretary, Education Department, Government of Bihar, Patna and further direction has been given to all the Secretaries,



Principals, Headmasters of Non-government recognized aided High School and +2 Schools to ensure payment of grants-in-aid in due proportion on pro rata basis vide letter dated 08.01.2019.

5. It is, thus, submitted that now the distribution of the fund has already been ensured amongst the aforementioned institutions and thus he submitted that the order of this Court has already been complied with.

6. At this stage, learned counsel for the petitioners submits that discrimination has been caused in the distribution of the fund under Bit Rahit Shiksha Niti.

7. In view of the submissions made on behalf of the parties, the present contempt petition stands disposed of.

8. It is needless to observe that if the petitioners have any grievance with regard to the distribution of the fund that gives a fresh cause of action to approach the appropriate authority/forum.

(Harish Kumar, J)

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