

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5167 of 2018

In
Civil Writ Jurisdiction Case No.975 of 2018

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1. Anil Kumar Singh and Ors Son of Late Ramdeo Ram, resident of BA 6 Surya Mohan Thakur Road, P.O. and P.S.- Tilka Manjhi, Bhagalpur, District- Bhagalpur.
 2. Madho Roy, Son of Late Rameshwar Roy, resident of Mathuranath Ghosh Lane, Buranath Lane, P.O.- Buranath, P.S.- Kotwali, District- Bhagalpur.
 3. Ashok Kumar Thakur, Son of Late Raghunath Thakur, Resident of Village- Rampur, P.O.- Nathnagar, P.S.- Madhusudanpur, District- Bhagalpur.
 4. Yogendra Kunwar, Son of Late Krishnadeo Kunwar, resident of Makandpur, P.O.- Rannu Chak, Makandpur, P.S. Nathnagar, District- Bhagalpur.
 5. Naveen Kumar, Son of Late Devendra Narayan Yadav, resident of Village- Dholbazza Diyara, P.O.- Dholbazza Bazar, P.S.- Naugachia, District- Bhagalpur.
 6. Narendra Kumar, Son of Late Rambriksh Bhagat, resident of Village and P.O.- Bhawanipur, P.S.- Rangra, District- Bhagalpur.
 7. Gouri Mandal, Son of Late Gulab Mandal, Resident of Village- Sarmaspur, P.O.- Mirjan Hat, P.S.- Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar ors through the Chief Secretary, Government Of Bihar, Patna Namely Sri Deepak Kumar.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna namely Sri R.K. Mahajan.
3. The Director, Primary Education, Bihar, Patna namely Sri Arbind Kumar.
4. The District Magistrate, Bhagalpur, namely Sri Pranav Kumar.
5. The District Education Officer, Bhagalpur, namely Sri Madhusudan Paswan.
6. The District Programme Officer (Establishment), District Bhagalpur, namely Sri Janardan Vishwas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Ashutosh Ranjan Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 12-07-2023

1. Heard.

2. The present contempt application has been filed on



behalf of the petitioners for initiating a contempt proceeding against the contemnors/opposite parties for non-compliance of the order dated 24-07-2018 passed in CWJC No. 975 of 2018.

3. Show-cause has been filed on behalf of the contemnors/opposite parties.

4. Earlier, Civil Writ Application of the petitioners was disposed of directing the respondents to examine the case of the petitioners in light of the order dated 20-04-2018 passed in CWJC No. 7255 of 2018 and thereafter to pass an appropriate order in accordance with law.

5. In paragraph-5 of the show-cause, following statement has been made:

“That with regard to Redressal of the grievance of the petitioner, it is respectfully and humbly submitted that just after coming in to the notice of captioned case, as well as, respective order the competent authority of the answering department gone through the relevant records, which available in the office of the respondent and



found that the grievances of the petitioner related to grant Matric Trained Scale from the date of joining is not in accordance with provision of Rules ad with this regard the Director, Education Department, Bihar, Patna has issued the direction to all District Education Officer vide letter no.07/mu 01-20/2018-432 dated 20.04.2020 in which it is clearly mentioned that those Teacher who appointed as untrained but they carry higher education under the category of Matric trained before the cut of date i.e. 31.12.1995 and in course of Matric Trained, they will be entitle for higher pay scale as Matric Trained after completion of 12 years service.”

6. From perusal of the show-cause filed on behalf of the contemnors/opposite parties, it appears that the order of this



court passed in connected Writ Application has already been complied with. Hence, the show-cause filed by the contemnors/opposite parties, is accepted.

7. If so advised, counsel for the petitioners is at liberty to challenge the order passed by the respondents/opposite parties by filing a separate Writ Application.

8. With the aforesaid observations and liberty, this contempt application stands disposed of.

(Sudhir Singh, J)

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