

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4235 of 2018

In
Civil Writ Jurisdiction Case No.11013 of 2016

=====

Rita Devi @ Rita Kumari wife of Late Shailesh Kumar resident of Village and
P.O. Bhagwanpur Hat, P.S.- Bhagawanpur Hat, District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Sri R. K. Mahajan, The Principal Secretary,
Education Department, Bihar, Patna.
2. Sri Arvind Kumar Verma, the Director (Primary Education), Bihar, Patna.
3. Sri Priya Nandan Prasad, the Regional Deputy Director of Education, Saran
Division, Chapra.
4. Sri Subrata Kumar Sen, the District Magistrate, Chapra.
5. Sri Jai Chand Prasad Srivastava, the District Education Officer, Saran,
Chapra.
6. Sri Dilip Kumar, District Programme Officer (Establishment), Saran,
Chapra.
7. Sri Dwijendra Kumar Ray the Block Education Officer, Baniapur, Saran.
8. Smt. Kamini Kumari, the Headmaster, Primary School, Dhanupur, Baniapur
Circle, Saran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tewari, Advocate
For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 04-07-2023 Heard the parties.

The petition has been preferred for compliance of the
order dated 05.02.2018 in CWJC No.11013 of 2016.

The District Compassionate Committee in its meeting
headed by the District Magistrate, Saran at Chapra remanded the
matter to the Block Employment Committee in view of the
direction of the General Administration Department which has



been incorporated in para-8 of the show-cause.

Accordingly, as per para-9, the matter was referred to the Block Development Officer-cum-Secretary Block Teacher Employment Unit, Baniyapur, Saran, Chapra with direction to take final decision (Annexure-D).

Thereafter, the matter was placed before the Block Employment Committee, Baniyapur, Saran on 30.04.2019 and the Committee found that the petitioner has passed Sahitya Bhushan degree from Hindi Vidyapeeth, Deoghar which is an unrecognized institution by the State Government for the purpose of appointment and as such her claim was rejected. (Annexure-E to the petition)

Learned counsel for the petitioner submits that contrary to the decision arrived at by the opposite parties, she is actually a matriculate too in addition to 'Sahitya Bhushan' degree.

However, when this Court requested to provide even a photocopy of the matriculation certificate of the petitioner, learned counsel failed to do so. The show-cause was filed in the year 2019 after serving copy upon the petitioner and the ground/decision arrived at by the opposite party was that she was having 'Sahitya Bhushan' Certificate which is not



recognized by the State Government.

In all fairness, the petitioner if she had the matriculation certificate could have brought the same on record by way of as that is the only basis on which the learned counsel for the petitioner is harping.

However, in contempt petition, this Court do not have to go into the merit of the case. An order has been passed, the petitioner if so wants can challenge the same before the writ court.

This Court is convinced that no case of contempt is made out.

The contempt petition stands disposed of.

(Rajiv Roy, J)

Prakash Narayan /-

U			
---	--	--	--

