

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.240 of 2025

In
Civil Writ Jurisdiction Case No.17154 of 2024

=====

Mamta Kumari, W/o Rajeev Kumar Singh, Resident of Village- Basatpur
(Bataspur), P.O.- Rupdih, Police Station- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna namely Shri Amrit Lal Meena.
2. The Commissioner-cum-Secretary, Education Department, Government of Bihar, Patna namely Shri Baidya Nath Yadav.
3. The Director, Directorate of Mass Education, Education Department, Government of Bihar, Patna namely Shri Anil Kumar.
4. The Additional Secretary-cum-Director, Directorate of Mass Education, Government of Bihar, Patna namely Sri Sanjay Kumar.
5. The Secretary, Co-operation Committee, Co-operative Department, Government of Bihar, Patna namely Shri Dharmendra Singh.
6. The Registrar, Co-operation Committee, Co-operative Department, Government of Bihar, Patna namely Smt. Inayat Khan.
7. The District Education Officer (Secondary Educational and Literacy), East Champaran at Motihari namely Shri Sanjeev Kumar.
8. The District Programme Officer (Secondary Educational and Literacy), East Champaran at Motihari namely Shri Niyam Kumar Gaurav.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate
For the Opposite Party/s : Mr. Government Advocate 5

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 14-11-2025

Heard the parties.

2. By the order under contempt, while disposing the writ petition, this Court taking note of the limited grievance of the petitioner directed the respondent nos. 6 and 7 to consider the application of the petitioner, as placed on record as



Annexure-P-11 and take appropriate action in the matter within the stipulated period. It was further observed that if the candidature of the petitioner is duly accepted for absorption/appointment, necessary appointment letter be issued within the stipulated period.

3. Show-cause affidavits have been filed on behalf of opposite party nos. 5 to 8. It has been informed to this Court that the Registrar, Cooperative Societies, Bihar issued letter No. 1645 dated 20.02.2025, addressed to the Director, Mass Education Department, Bihar, Patna stating therein that due to non-verification of prescribed qualification i.e. experience certificate as per Education Department's Resolution No. 945 dated 27.04.2017, the recommendation letter no. 2035 dated 28.11.2023 received by the office with regard to adjustment on the post of Group-D of Ex-non Formal Education Instructor is returned. The information in this regard has also been given to the petitioner.

4. Learned Advocate for the State further drew the attention of this Court to the show-cause affidavit filed on behalf of opposite party nos. 7 and 8 and it is submitted that for appointment of the petitioner, the experience certificate as submitted by him needs to be verified. However, from bare



perusal of the experience register available in the office, the name of the petitioner does not figure in the same. The Block Education Officer, Motihari, East Champaran was also directed to verify the experience certificate of the petitioner, however, he has informed vide letter no. 414 dated 16.08.2024 that since no sort of document or paper is available in his office, thus it is not possible to verify the experience certificate of the petitioner. In the aforesaid premise, the District Programme Officer, Secondary Education and Literacy, East Champaran, Motihari issued an order, as contained in Memo No. 606 dated 28.12.2024 and apprised the Assistant Director, Mass Education, that in absence of the record, the experience certificate of the petitioner could not be verified.

5. Learned Advocate for the petitioner filed a reply to the show-cause affidavit and submitted that there are documents available on record, which clearly suggests that the petitioner had been discharging the duty and received payment and thus the contention of the opposite parties that there is no experience certificate is wholly incorrect.

6. Be that as it may, considering the response of the opposite parties to the extent that no record is available, this Court cannot proceed with the contempt petition. Accordingly,



the same stands closed.

7. However, the petitioner is at liberty to pursue the matter before the competent authority/court, if so advised.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.11.2025
Transmission Date	NA

