

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.609 of 2021

In

Civil Writ Jurisdiction Case No.934 of 2020

Jai Kant singh Son of Late Prasidh Narayan Singh, resident of Village-Kochgaon, P.S.-Warsaliganj, District-Nawada, at present Assistant Teacher, Project Bandi Shankar Girls High School Warsaliganj, Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through Shri R.K. Mahajan the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. Shri Giriwar Dayal Singh the Director, Secondary Education, Education Department, Government of Bihar, Patna.
3. Shri Kameshwar Kamat the Regional Deputy Director of Education, Magadh Division, Gaya.
4. Sanjay Kumar Chaudhary, the District Education Officer, Nawada.

... .. Opposite Party/s

with

Miscellaneous Jurisdiction Case No. 1248 of 2021

In

Civil Writ Jurisdiction Case No.1840 of 2020

Krishna Deo Prasad Yadav Son of Late Prayag Prasad Yadav Resident of Village- Pranpur, P.S.-Nawada Muffasil, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. R.K. Mahajan the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. Mr. Giriwar Dayal Singh, the Director Secondary Education, Education Department, Government of Bihar, Patna.
3. Mr. Kameshwar Kamat The Regional Deputy Director of Education, Magadh Division, Gaya.
4. Mr. Sanjay Kumar Choudhary The District Education Officer, Nawada.

... .. Opposite Party/s

Appearance :

(In Miscellaneous Jurisdiction Case No. 609 of 2021)

For the Petitioner/s : Mr. Ram Sagar Singh, Advocate

For the State : Mrs. Binita Singh, SC-28

(In Miscellaneous Jurisdiction Case No. 1248 of 2021)

For the Petitioner/s : Mr. Ram Sagar Singh, Advocate

For the Opposite Party/s : Mrs. Binita Singh, SC-28



CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-02-2025 Heard the parties.

2. Both the petitions have been filed for initiating a contempt proceeding against the opposite parties for the alleged defiance of the order dated 18.02.2020 passed by a learned co-ordinate Bench of this Court. A show cause affidavit was filed on behalf of the Director, Secondary Education Department, Government of Bihar, Patna in compliance of the order of this Court bringing on record the order contained in Memo No. 23 dated 24.02.2021. However, on the last occasion, when the matter was taken up on 14.09.2023, this Court on being found no consideration of the Annexure-5, 6 and 7 as was directed in C.W.J.C. No. 1840 of 2020, had expressed his displeasure.

3. Further, in view there of, the show cause affidavit filed by the Director, Secondary Education Department, came to be rejected. This Court further directed the Director, Secondary Education Department to ensure the compliance of the order of this Court by passing a fresh order showing consideration of Annexure-5, 6 and 7.

4. Pursuant to the order of this Court dated 14.09.2023, a supplementary show cause affidavit has been filed bringing on record a fresh order passed by the Director,



Secondary Education Department contained in Memo. No. 77“P” dated 10.10.2023. Prima facie, this Court is satisfied that while passing the order aforementioned, the authority concerned has taken note of Annexure-5, 6 and 7 while negating the claim of the petitioners.

5. Considering the aforesaid facts, this Court does not find any reason or occasion to continue with the contempt proceeding and accordingly both the contempt petitions stands disposed of.

6. However, petitioners shall be at liberty to assail the order if, so advised.

(Harish Kumar, J)

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