

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.351 of 2019

In
Civil Writ Jurisdiction Case No.13734 of 2012

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1. Manoj Kumar son of Late Dhuruwdeo Prasad Singh, Gandhi Nagar, Kati Factory Road, Kankar Bagh, Patna-20, District- Patna
 2. Kumar Rajesh Pandey son of Late Kumar Brajesh Pandey, At and P.O. Ganpura, P.S.- Noor Sarai, District- Nalanda.
 3. Misal Kumar son of Late Madan, At and P.O.- Behrana, P.S. Barh, District- Patna.
 4. Kumar Gaurav son of Ram Kishore Prasad At and P.O.- Dayachak, P.S. Barh, District- Patna.
 5. Kunj Bihari son of Shiv Nandan Prasad Singh resident of Village- Moglani, P.O.- Bankara, P.S. Belchi, District- Patna.
 6. Mritunjay Kumar son of Late Yugal Kishor Prasad At and P.O.- Sakaldi, P.S. Koilbar, District- Bhojpur.
 7. Rajiv Kumar Singh son of Vishnudeo Singh 1m/59, Mahatma Gandhi Nagar, P.O.- Bahadurpur, P.S. Agamkuan, District- Patna.
 8. Santosh Kumar son of Rayas Prasad Sharma Village- New Ram Pur, P.O.- Sherpur, P.S. Maner, District- Patna.
 9. Brajesh Kumar Tiwary son of Late Surendra Tiwary At and P.O.- Bhabsera, P.S. Tarai, District- Ara.
 10. Sunil Gawaskar son of Late Lalan Prasad Verma Sri Nagar, A.G. Colony, Ashiana Nagar, Patna-25
 11. Manoj Kumar son of Birendra Prasad Singh Village- Meheshpur Dih, P.O.- Yogipur, P.S. Hilsa, District- Nalanda.
 12. Abhishek Kumar son of Late Ram Chandra Prasad Bankipur Gorakh, P.S. Fatuha, District- Patna
 13. Alok Kumar son of Late Ram Prit Mahto Village- Sonaru, P.S. Fatuha, District Patna.
 14. Dharmveer Kumar Singh @ Dharmveer Singh son of Late Kashi Nath Singh At and P.O. Barauna, P.S. Fatuha, District- Patna.
 15. Ravindra Kumar son of Ramchandra Prasad Gupta Vill. and P.O.- Bidupur, District- Vaishali.
 16. Mossavver Alam @ Md. Mossavver Alam son of Late Khurshid Alam Tarni Prasad Lain, Chaman colony, Patna-6
 17. Sheikh Md. Imetaz Hussain @ Imteyaz son of Late Sheikh Najmul Hassan Ram Kishore Prasad, At New Azimabad Colony, P.O. Mahendru, P.S.- Bahadurpur, Patna-6
 18. Subodh Kumar Verma @ Subodh Kumar son of Pashupati Nath Verma Muhalla- Thateri Bazar, P.O.-Mahendru, P.S.- Pirbahor, Patna



19. Pawan Kumar son of Late Jagan Nath Thakur Village and P.O.-Gaura, P.S.-Shahpur, District-Bhojpur.
20. Kaushal Kishor Singh son of Ram Nandan Singh Vill and P.O-Auta, P.S.-Hathidah, Patna.
21. Santosh Kumar Suman son of Late Shyam Kishore Prasad Village-Baraini Ponekpur, P.s. Neemchak Batahani, patna
22. Chandan son of R.N. Thakur Satyadev Place, House No- 7B, Vikash Nagar, Colony Phase-2, Kumhara, Sandalpur Road, Patna-6
23. Braj Kishor Mishra son of Late Dinesh Chandra Mishra c-69, New Patrakar Nagar, Hanuman Nagar, Kankar Bagh, Patna
24. Kumari Sujata Rani wife of Late Prem Narayan Kumar Prem Nikunj, Dujra Chak, Budha Colony, Dist-Patna.
25. Kumari Salonee daughter of Late Shiv Kumar, Sri Ram Nagar Colny, Kumhrara, Sandalpur Road, Patna-6
26. Rubi Kumari daughter of Late Sachhidanand Sharma Village- Nathpur, P.O-Sultanpur, P.S. Fatuha, Dist-Patna.
27. Sujit Pratap son of Late Sheopati nath verma Village- Sandha, P.O.-Bahapur, P.S.-Karaipasurai, Nalanda
28. Vijay Kumar Singh son of Bengali Singh At+ P.O.-Rukunpura, P.s.-Fatuha, Patna
29. Abhishek son of Late Subash Chandra Singh, village Doriapar, P.O-Chhata, P.S.-Masauthi, Patna
30. Amit Kumar Sinha son of Late Suchit Narayan Prasad, New Damaria, Gardani Bagh, Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary namely Mr. R.K. Mahajan, Education Department, Government of Bihar, Patna.
2. R.K.Mahajan, The Principal Secretary, Education Department, Government of Bihar, Patna
3. Arvind Kumar Verma, The Director, Primary Education, Education Department, Govt.of Bihar, Patna
4. Mr. Kumar Sahjjanand, The Regional Deputy Director of Education, Patna
5. Mr. Jyoti Kumar, The District Education officer, Patna
6. Mr. Keshav Prasad, The District Programme Officer (Establishment), Patna

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Jagjit Roshan, Advocate
For the State : Ms. Abhanjalli, AC to GA-12



CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

6 11-04-2025 This contempt petition has been filed alleging violation of the order dated 31.07.2018 passed in C.W.J.C. No. 13734 of 2012, wherein this Court in paragraph Nos.5, 6 and 7 had passed the following order:

“5. In view of the above, the present writ petition is disposed of with a direction to the respondents to work out the entitlement of the petitioners for grant of trained scale after three years from the date of their appointment or from 2003 whichever is later as there is lapse on the part of the respondents in nor sending the petitioners for in-service training earlier. The entire exercise must be completed within a maximum period of four months from the date of receipt/production of a copy of this order.

6. With the aforesaid, the writ petition stands disposed of.

7. So far as the intervenor applicants are concerned, they may approach the authority for similar treatment and in case their grievance is not redressed, liberty shall be available to them to approach the appropriate forum/Court for redressal of their grievances on the ground of parity and litigation policy of the State Government.”



2. Opposite party No.5 / The District Education Officer, Patna has filed the supplementary show cause, wherein, in paragraph Nos. 2, 3, 4, 5 and 6 it has been stated as under:

“2. That in continuation of show cause filed earlier in this case, the deponent humbly states that in view of guideline having been sought from the department, a guideline has been received in the matter vide letter no.:- 1044 dated 13.08.2019, issued under the signature of the Director, Primary Education, Bihar whereby direction has been issued for compliance of order of this Hon’ble Court by extending the benefits of matric trained scale to the petitioners after completion of three year from the date of appointment or 01.10.2003 whichever is later and to ensure filing of show cause in the matter.

3. That in view of direction issued from the Director, Primary Education, Bihar, service-books of the petitioners were located to ascertain the date of appointment of the respective petitioners so that they can be extended the benefits of matric trained scale from the date of completion of three years from their respective date of appointment or from 01.10.2003.

4. That it is humbly stated that out of 31 petitioners in the writ application, service-



books of 25 petitioners were found available in the office of the answering opposite party and consequently, they have been sanctioned the said benefits from their respective dates of entitlement vide office order contained in memo no.- 6298 dated 13.08.2019.

5. That it is needless to say that the consequential monetary benefits thereof shall be extended to them after fixation of pay and get the same authenticated by the District Accounts Officer, Patna which will consume some considerable time.

6. That so far as rest of the petitioners i.e. petitioner no.- 07, 09, 21, 26, 27 & 30 of the instant MJC application is concerned, it is humbly stated that vide different letters dated 13.08.2019, they have been directed to submit their respective service-book as well as relevant educational certificates so that the benefits of matric trained scale could be extended to them without any delay in terms of order & direction of this Hon'ble Court."

3. On perusal of paragraph Nos. 2, 3, 4, 5 and 6 of the supplementary show cause filed by the Opposite party No.5 / The District Education Officer, Patna, which is extracted hereinabove, I find that the order dated 31.07.2018 passed in C.W.J.C. No. 13734 of 2012 has been complied with by the



Opposite Party No.5 / The District Education Officer, Patna.

4. Accordingly, the contempt petition stands closed
and disposed of.

(Nani Tagia, J)

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