

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.464 of 2019

In

Civil Writ Jurisdiction Case No.961 of 2018

1. Vinod Kumar Son of Kedar Prasad Singh, Resident of Village and Post Office- Bathua Bujurg, Police Station- Musri Gharari, Block- Sarayranjan, District- Samastipur. At present posted and Working as Assistant Teacher in Govt. Upgraded Middle School Mojahidpur, Block- Siwan Sadar, District-Siwan.
2. Ram Briksh Gupta S/o Ruplal Gupta, Resident of Village-Bishanpur, Post Office-Dharampur, Dist.-Samastipur. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Rampur,Block-Barhariya,Dist.-Siwan
3. Md. Rizwanullah S/o M.d. Ataullah Resident of Village-Sirsiya, Post Office-Bhatwan,P.S. Hasanpur, District.-Samastipur. At present posted and working as Assistant Teacher in Govt. Urdu Primary School Tola Parwezkhan,P.O. Khaira,Block-Nagra,District-Saran(Chapra).
4. Ram Prasad Yadav S/o Shri Jahuri Yadav Resident of Village-Chanmana, Post Office-Lalpur Shivram,P.S. Baheri,Dist.-Darbhanga. At present posted and working as Assistant Teacher in Govt. Middle School Basawn,Block Basantpur,Dist.-Siwan.
5. Md. Rahullah, S/o Md. Mojibur Rahman Resident of Village-Sirsia, Post Office Bhatkan,Police Station-Hasanpur,Dist.-Samastipur. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Molanpur,Block-Basantpur,Dist.-Siwan.
6. Mohar Ram, Son of Shri Thakur Ram Resident of Village and P.O. Alampur, Block-Shivsagar,Dist.-Rohtas. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Molanapur, Block Basantpur, Dist.-Siwan
7. Bijay Kumar Bharti, S/o Shri Phuleshwar Thakur, Resident of Village and P.O.- Bishnupur,Police Station- Saur Bazar, District-Saharsa. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Sareya Shrikant Block-Basantpur, Dist.-Siwan.
8. Tej Narayan Singh, S/o Late Nanku Singh, Resident of Village-Narsiha,Post Office. Rajaur,Rambhadrapur, P.S. Hathauri,District-Samastipur. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Rampur, Karkariadih, Block-Darauli, Dist.-Siwan.
9. Md. Wasiullah S/o Haji Md. Ishaque Resident of Villager and P.O.- Jhagarwa,Via-Ghanshyampur, District- Darbhanga. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Mahodipur, Block Siwan Sadar, Dist.Siwan
10. Ram Lakhan Sahu, Son of Shri Kari Sahu, Resident of Village-Phulkaho, Post Office Mahthaur, Block-Phulparas, Police Station Phulparas, District.-Madhubani. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Nauwapali, Block-Siwan Sadar,Dist.-Siwan.
11. Ramchandra Sinha, Son of Shri Sukal Sinha, Resident of Village-Purandahi, Post Office Bhataura, Police Station- Hathauri, District-Samastipur. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Bhopatpur,Block Barharia,Dist.-Siwan.



12. Parmanand Singh, Son of Chandra Narayan Singh, Resident of Village-Dhobiyahi, Post Office-Baheri, Police Station Hathauri, District-Samastipur. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Kewataliya, Block Darauli Dist.-Siwan.
13. Arun Kumar Chaudhary, Son of Devendra Chaudhary, Resident of Village-Bangraha, Ward No.7, P.S. Bidhyapati Nagar, District-Samastipur. At present posted and working as Assistant Teacher in Govt. Upgraded Middle School Nawapali, Block-Siwan Sadar, Dist.-Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar through Mr. R.K. Mahajan, Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. Mr. Vinod Kumar Mishra, The Additional Secretary, Education Department, Govt. of Bihar, Patna.
3. Mr. Kamal Kumar Sinha, The Director, Secondary Education, Government of Bihar, Patna.
4. Mr. Arvind Kumar Verma, The Director, Primary Education, Govt. of Bihar, Patna.
5. Ms. Ranjana, The District Magistrate, Siwan.
6. Mr. Subrat Kumar Sen, The District Magistrate, Saran at Chapra.
7. Mr. Chandra Shekhar Rai, The District Education Officer, Siwan
8. Mr. Jai Chand Srivastava, The District Education Officer, Saran at Chapra.
9. Mr. Samar Bahadur Singh, The District Programme Officer (Establishment), Siwan.
10. Mr. Dilip Kumar Singh, the District Programme Officer (Establishment), Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Ashutosh Ranjan Pandey, AAG-15

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-01-2025 Heard the parties.

2. Application has been filed for initiation of a contempt proceeding against the opposite parties for their deliberate and willful defiance of the order dated 31.01.2018 passed in CWJC No. 961 of 2018, whereby this Court has been pleased to dispose off the writ petition with a direction to the



respondents to consider the case of the petitioners and pass appropriate order, in accordance with the order passed by this Court in CWJC No. 4535 of 2017 and CWJC No. 9185 of 2017.

3. A show-cause affidavit has been filed on behalf of the O.P. No. 10. It is categorically averred that in compliance with the order of this Court, the Director, Primary Education, Bihar, Patna vide order dated 07.03.2019 contained in Memo NO. 344 has ordered for inter district transfer of teachers belonging to 34,500 category in their desired district. It is further contended that the petitioners have been transferred to different district, in compliance with the order of this Court.

4. A response to the show-cause affidavit have been filed stating therein that some of the petitioners are still awaiting for their transfer.

5. Be that as it may, considering the fact that the Director, Primary Education, Bihar, Patna has already taken a decision to transfer the teachers belonging to 34,500 category, this Court does not find any reason or occasion to continue with the contempt proceeding.

6. Accordingly, the contempt proceeding stands disposed off.

(Harish Kumar, J)

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