

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1162 of 2019
In
Civil Writ Jurisdiction Case No.20427 of 2010

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Narsingh Sharma Son of Late Hirdya Narayan Sharma Resident of Village
and P.O.-Gorakhari, P.S.-Bikram, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. R.K.Mahajan, the Principal Secretary,
Human Resources Development Department, Govt. of Bihar, Patna.
2. Mr. Arvind Prasad Verma The Director Primary Education, Govt. of Bihar,
Patna.
3. Mr. Kumar Ravi the District Education Establishment Committee through its
Chairman cum-District Magistrate, Patna.
4. Mr. Keshav Prasad the District Superintendent of Education, Patna
Collectorate, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv
For the Opposite Party/s : Mr.Vinay Kr. Mishra, AC to AAG15

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

7 12-12-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present application has been filed for initiation
of contempt proceeding against the opposite parties, alleging
deliberate and willful violation of the order dated 29.08.2018
passed in CWJC No. 20427 of 2010. The said order is
reproduced hereinbelow for needful:

*“Heard learned counsel for
the petitioner and the counsel*



appearing on behalf of the respondents.

Learned counsel appearing on behalf of the petitioner submits that the case of the petitioner is covered by the decision of this court in C.W.J.C. No. 18715 of 2015 vide order dated 08.09.2016.

The relevant part of the order dated 08.09.2016 reads as follows:-

“The writ application is disposed of with a direction upon the District Programme Officer (Establishment), Sheikhpura that the decision with regard to grant of benefit of 2nd time bound promotion and ACP with regard to these petitioners would be expedited and completed within a period of four months from the date of production of a copy of this order. The time frame indicated by the Court must be adhered to.”

In view of the above, the present writ application is disposed of with direction to the respondents to consider the case of the petitioner in the light of the decision of this court in C.W.J.C. No. 18715 of 2015 dated



8.9.2016 within a period of four months from the date of receipt/production of a copy of this order.”

3. Learned counsel appearing for the State submits that the representation filed by the petitioner for claiming the relief has been rejected by a detailed and reasoned order, which has been brought on record by way of Annexure-B to the supplementary show cause filed by the opposite party no. 4 and statement to that effect has been made in paragraph no. 7 of the supplementary show cause which states as follows:

“That it is further submitted here that after considering the above said facts and Rules the Authority passed a detail and reasoned order vide memo no. 4265 dated 26-04-2025 where under the claim of the petitioner for 2nd time bound promotion has been rejected as per Rules 1993 and 2nd & 3rd MACP has been granted w.e.f. 01-01-2009.”

4. It is thus manifest that the order of the Writ Court has been complied and the claim of the petitioner has been rejected by passing a reasoned and speaking order. Therefore, no cause of action now survives in pursuing with this application. It is accordingly disposed of granting liberty to the petitioner to challenge the order contained in Memo No. 4265 dated



26.04.2025 (Annexure-B to the supplementary show cause filed
by the opposite party no. 4), if the petitioner so desires.

(Alok Kumar Sinha, J)

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