

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.882 of 2022

In

Civil Writ Jurisdiction Case No.11882 of 2017

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1. Diwakar Kumar, Son of Late Gowardhan Mandal @ Govardhan Mandal, resident of Village- Makhadumpur (masudanpur) Baisi Ward no. 9, P.O.- Bhawanipur, P.S.- Rangrachowk, District - Bhagalpur, posted as Panchayat Teacher Primary School, Khadaharu, Block - Bihpur, District - Bhagalpur.
 2. Chandan Kumar, Son of Dayanand Jaiswal, resident of Village and P.O.- Bhawanipur, P.S. - Rangra Chowk, District - Bhagalpur, posted as Panchayat Teacher Primary School, Paswan Tolla, Narkatiya, Block- Bihpur, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri M. Saravanan, the then Director Primary Education, HRD, Patna, Bihar.
3. Subrat Kumar Sen, the then District Magistrate, Bhagalpur.
4. Sanjay Kumar Singh, the then District Education Officer, Bhagalpur.
5. Madhusudan Paswan, the then District Programme Officer, Establishment, District - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Adv.
For the Opposite Party/s : Ms. Abhanjali, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

5 31-10-2025 Heard the parties.

2. The application is filed for initiation of a contempt proceeding against the opposite parties for their willful defiance of the order of this Court dated 01.08.2019 passed by a Bench of this Court. In pursuant to the order of this Court, show cause affidavit as well as supplementary show cause affidavit have been filed on behalf of opposite party nos. 4 and 5.

3. Learned Advocate for the State referring to the averments made in the supplementary show cause affidavit



submitted that in the enquiry by the Vigilance, the TET passing certificate of the petitioners found suspicious/forged and, as such, the claim for payment of salary has been turned down. An order in this regard passed by the District Education Officer, Bhagalpur contained in Memo No. 4905 dated 17.09.2025 has been placed on record as Annexure A to the supplementary show cause affidavit.

4. Learned Advocate for the petitioner vehemently contended that still the authorities have not come to the final conclusion and the TET certificate of the petitioner have been said to be only suspicious; moreover, the order is said to be passed without giving any opportunity to the petitioner.

5. Be that as it may, considering the fact that the final decision has already been taken with respect to the claim of salary for the period, the petitioner had worked, this Court does not find any reason or occasion to continue with the contempt proceeding; accordingly, the same stands closed. However, the petitioner is at liberty to assail the afore-noted order in appropriate proceeding, if so desired.

(Harish Kumar, J)

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