

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.68 of 2014

In

Civil Writ Jurisdiction Case No.8987 of 2005

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1. Smt. Priyambada and Ors. W/O Shri Vijay Kumar Singh Resident Of Village And P.O. Khabra, P.S. Sadar Muzaffarpur, District Muzaffarpur.
 2. Shri Nand Kishore Mishra S/O Late Julum Mishra
 3. Shri Shashi Bhushan Mishra S/O Chandeshwar Mishra Both Residents Of Village Variahi Soti, P.O. Haridaspur, P.S. Kanti, District Muzaffarpur.
 4. Sri Braj Kishore Thakur S/O Bansidhar Thakur Resident Of Village Narayanpur, P.O. Haridaspur, P.S. Kanti, District Muzaffarpur.
 5. Smt. Kumari Mira W/O Shashi Bhushan Thakur Resident Of Village Piar, P.O. and P.S. Piar, District Muzaffarpur.
 6. Sri Ranbir Kumar S/O Braj Kishore Prasad Singh Resident Of Village Raghunathpur, P.O. Silaut, P.S. Masahari, District Muzaffarpur.
 7. Shri Jagdish Narayan Singh S/O Ramanand Narayan Singh Resident Of Village Varihai Soti, P.O. Haridaspur, P.S. Kanti, District Muzaffarpur.
 8. Shri Ashwini Kumar S/O Shri Sheo Shankar Prasad Singh Resident Of Village Raghunathpur, P.O. Silaut, P.S. Masarhi, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Mr. Amarjeet Sinha, The Commissioner And Secretary, Primary And Adult Education Department, Vikas B
3. Mr. Chitranjan Singh, The Director, Primary Education, Bihar Vikas Bhawan, Patna.
4. The District Education Committee Through The Deputy Development Commissioner-Cum-Chairman Vaishali,
5. Mr. Umashankar Singh, The Deputy Development Commissioner, Then The Chairman, District Education Co
6. Smt. Sangh Mitra Verma, The District Superintendent Of Education, Vaishali At Hajipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Singh, Advocate Ms. Vagisha Pragya, Advocate
For the Opposite Party/s	:	Mr. Raghwanand, GA-11 Mr. Sanjay Kumar Tiwari, AC to GA-11

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA

ORAL ORDER

4 29-07-2025 Heard Mr. Binod Kumar Singh, learned counsel for the petitioners and Mr. Sanjay Kumar Tiwari, learned counsel for the opposite parties.

2. This contempt application has been filed alleging violation of the order dated 28.01.2013 passed in CWJC No. 8987 of 2005 whereby, while allowing the writ petition the authorities concerned have been directed to immediately comply the decision of the District Education Committee dated 31.01.1987 and take over the control of the Middle School, Dharampur, Vaishali along with its teaching and non-teaching employees as per the provision of Section 4 of the Bihar Non-Government Elementary School (Taking Over of Control) Act, 1976.

3. Opposite party Nos. 4 & 6 have filed a show-cause wherein, it has been stated that against the direction passed in the writ petition, LPA No. 1360 of 2013 has been filed by the State. After the show-cause was filed, it has been submitted by the learned counsel for the opposite parties that the said LPA was disposed off on 28.11.2017 whereby, the judgment and order of the writ Court dated 28.01.2013 passed in CWJC NO. 8987 of 2005 has been set aside and the writ petition has been dismissed.

4. A copy of the order passed in the LPA No. 1360 of 2013 has been handed over by the learned counsel for the opposite party, which has been taken on record.

5. In view of the fact that the order dated 28.01.2013 passed in CWJC No. 8987 of 2005 has been set aside by the Division Bench of this Court in LPA No. 1360 of 2013, there can not be any violation of the order passed in the writ petition.

6. The contempt petition accordingly stands closed and disposed off.

(Nani Tagia, J)

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