

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1649 of 2019

In
Civil Writ Jurisdiction Case No.13946 of 2014

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Chandra Shekhar Singh Son of Late Phuleshwar Singh @ Fuleshwar Singh
Resident of Village-Maina, P.S-Mahishi, District-Saharsa, at present residing
at Refujee Colony, Near Raman Gas Agency, Ward No 06, Saharsa, P.S and
District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary, Human Resources Department, Government of Bihar, Patna namely Sri R.K.Mahajan.
3. The Director, Primary Education, Education Directorate, Education Department, Bihar, Patna namely Sri Arvind Kumar Verma.
4. The District Education Officer, Siwan, namely Sri Chandra Shekhar Rai.
5. The District Programme Officer (Establishment), Siwan, namely Sri Amerika Prasad
6. The District Education Officer, Supaul namely Mr Jagat Pati Chaudhary.
7. The District Programme Officer (Establishment), Supaul namely Sri Amar Bhushan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Smt. Shilpa Singh (Ga12)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

3 07-04-2025 This contempt application has been filed alleging violation of order dated 18.09.2018 passed in CWJC No. 13946 of 201. In the writ petition challenge was made to the order of punishment inflicted upon the petitioner in the nature of stoppage of two increments without cumulative effect.

2. This court while setting aside the order of punishment inflicted upon the petitioner had directed the



respondents to restore the benefit available to the petitioner upon quashing the order of punishment including the payment of salary for the period of suspension. The respondents were directed to take a final decision on the claim of the petitioner upon quashing of the order of punishment inflicted on the petitioner within a period of four months from the date of the receipt/production of a copy of the order.

3. Opposite party No. 6 / District Education Officer has filed a show cause, wherein, in paragraph No. 4 to 6 it has been stated as under:

"4. That aforesaid writ application was filed by the petitioner challenging the order of punishment dated 15.07.2013 as contained in annexure-1 of the writ application whereby, the petitioner was inflicted stoppage of two increments without cumulative effect and further, the petitioner is not entitled to payment of anything except subsistence allowance paid to the petitioner during the period of suspension and after hearing, the said writ application was allowed & disposed of while quashing the order of punishment, in following terms:-

“The respondents are directed to restore the benefit available to the petitioner on quashing of Annexure-1 including the



payment of salary for the period of suspension. Final decision on the claim of the petitioner after quashing of Annexure-1 must be taken by the respondents within a period of four months from the date of receipt/production of a copy of this order..”

5. That it is stated that in terms of order of this Hon'ble Court, the Director, primary Education, Bihar vide order contained in memo no.- 403 dated 09.04.2019 has annulled the order of punishment passed against the petitioner vide memo no.- 941 dated 15.07.2013 and since, the petitioner has retired, a proceeding under rule-43B of the Bihar pension Rules has been initiated and the Enquiry Officer has been directed to submit his report.

6. That it is humbly stated that final decision in respect of claim of the petitioner in terms of order of this Hon'ble Court is to be taken at the level of the Director, Primary Education, Bihar however, the petitioner has represented before the answering opposite party along with a copy of the order under contempt on 15.10.2018 whereby he has sought details of subsistence allowance paid to him from the office of the answering opposite party and in pursuance thereof vide letter no 1932 dated 17.12.2018 he has been provided the details of payment made from 26.05.2011 to January, 2013.



4. On the perusal of paragraph Nos. 4 to 6 of the show cause filed by opposite party No. 6 / District Education Officer, I find that the order passed in the writ petition has been duly complied with by the opposite parties.

5. Accordingly, contempt application stands closed and disposed of.

(Nani Tagia, J)

Siddharth
Sagar/-

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