

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1499 of 2023

In
Civil Writ Jurisdiction Case No.5420 of 2022

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Sharat Kumar Son of Vishwanath Singh, R/O- Village and P.O.- Arap, P.S-
Sikram, District- Patna, retired Head Master, Middle School, Datiyana,
Bikram, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Department of Education, Bihar, Patna.
2. Mr. Deepak Kumar, The Addl. Chief Secretary, Department of Education, Bihar, Patna.
3. Mr. B. Karitkey Dhan, The Director, (Primary), Department of Education, Bihar, Patna.
4. Mr. Suman Kumar, The Director Rajbhasha, Old Secretariat Bihar, Patna.
5. Mr Anil Kumar Lal The Deputy Director, Rajbhasha, Patan Division, Patna.
6. Mr. Amit Kumar, The District Education Officer, Patna, District, Patna.
7. Mr. Arun Kumar Mishra, The District Programme Officer, (Estab.), District- Patna.
8. Mr. Puskar Kumar, The Accountant General, Bihar, at Vir Chand Patel Path, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kumar, Advocate
For the State	:	Mr. S. K. Ranjan, AC to GP-17
For A.G.	:	Dr. Anand Kumar, Advocate
		Ms. Anuradha Mishra, Advocatre

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 18-04-2025 Heard learned counsel for the petitioner and learned
counsel for the opposite parties.

2. Learned counsel for the petitioner submits that the
order passed by this Court has not been properly complied with.

3. It is further submitted that the petitioner has



contended that one similarly situated person, Santosh Kumar Sharma, was initially granted the benefit of a pay scale of Rs. 17,140/-. However, following an objection raised by the petitioner, the department intentionally rectified the said letter and withdrew the benefit previously granted to Santosh Kumar Sharma. Learned counsel further submits that the respondent authorities have extended this benefit to several other individuals, but due to the objection raised by the petitioner regarding Santosh Kumar Sharma, the benefit was withdrawn in his case.

4. On the other hand, learned counsel for the State submits that all dues legally admissible to the petitioner have been paid, and therefore, this is not a case of contempt.

5. After hearing the arguments advanced by both sides, it appears to this Court that the respondent State has complied with the order previously passed by this Court. The issue concerning Santosh Kumar Sharma no longer survives.. However, the counsel for the petitioner contends that other similarly situated individuals have been granted the benefit, whereas the petitioner has been denied the same. For this, the petitioner may have a separate cause of action.

6. In this regard, reference may be made to the Bihar



State Litigation Policy, 2011.

7. This Court is of the considered view that there is no justification to proceed further with the present contempt petition. However, if it is found that other similarly situated individuals have been granted the benefit, the petitioner shall have a valid cause of action to approach the appropriate authority in accordance with Clause 4C of the Bihar State Litigation Policy, 2011.

8. With the aforesaid observations, the contempt proceedings are hereby dropped.

(Dr. Anshuman, J)

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