

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2150 of 2017

In

Civil Writ Jurisdiction Case No.8418 of 2010

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1. Pramod Kumar Mishra and Ors son of Shiyaram Mishra, Resident of VillagePO- Bardaha, P.S.- Sikti, District- Araria.
 2. Chunni Singh, wife of Rajiv Kumar Singh, Resident of Village- Belsandi, P.O.- Gokhalapur, P.S.- Narpatganj, District- Araria.
 3. Draupadi Devi, wife of Jagat Narayan Viswas, Resident of Village- Masunda, P.O.- Bhirbhiri, P.S.- Sikti, District- Araria.
 4. Shila Devi, wife of Kamleshwari Prasad Mandal, Resident of Village- Chanda, P.O.- Khagrah, P.S.- Narpatganj, District- Araria.
 5. Yogendra Viswas, son of Harihar Prasad Viswas, Resident of Village- Masunda, P.O.- Bhirbhiri, P.S.- Sikti, District- Araria.
 6. Kumar Vidyanand, son of Shri Krishna Yadav, Resident of Village- Dumriya, P.O.- Bhanghi, P.S.- Phulkaha, District- Araria.
 7. Jatanand Yadav, son of Madhuri Yadav, Resident of Village- Dumriya, P.O.- Bhanghi, P.S.- Phulkaha, District- Araria.
 8. Vishun Dev Uron, son of Budhdeo Uron, Resident of Village- Kochgama, P.O.- Gokhalapur, P.S.- Narpatganj, District- Araria.
 9. Surendra Kumar Uron, son of Devlal Uron, Resident of Village- Belsandi, P.O.- Gokhalapur, P.S.- Narpatganj, District- Araria.
 10. Md. Sajiruddin, son of Ahmad Ali, Resident of Village- Belsandi, P.O.- Gokhalapur, P.S.- Narpatganj, District- Araria.
 11. Lalit Kumar Aron, son of Chandra Lal Uron, Resident of Village- Belsandi, P.O.- Gokhalapur, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Old Secretariat, Patna and Ors
2. The Principal Secretary, Department of Education, Bihar, Patna namely Mr. R.K. Mahajan.
3. The Principal Secretary, Department of Personnel and Administration, Bihar, Patna namely Mr. Amir S
4. The Director, Mass Education, Govt. of Bihar, Patna namely Mr. Binoda Nand Jha.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Shashi Shekhar Tiwary, AC to AAG 15

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 23-04-2026

Heard the parties.



2. The present application has been preferred:

for initiating a contempt of court proceeding against the opposite parties concerned for their willful, deliberate and intentional action/inaction in not comply the order dated 21.4.2011 passed in CWJC No. 8418/2010 & its analogous cases by Hon'ble Mr. Justice J.N. Singh with following observation:-

"In the circumstances, this court finds that the respondents are not justified in not absorbing the Instructors also in regular service at least on class IV posts and on the lives they have absorbed the supervisors of the programme. In the circumstances this court directs the respondents to apply the same policy in respect of the Instructors of the Programme also and absorb them in regular Government service as per their qualification and eligibility. For this purpose, the respondents shall identify such Instructors of the Programme who were validly appointed and subsequently stand thrown out on account of closure of the Programme, and issue orders for their absorption positively within a period of four months from the date of receipt/production of a copy of this order.

The writ application is, accordingly, allowed with the aforesaid observations and directions.

3. The show cause of the opposite party no. 4 has come



and paragraph 8 of the said show cause read as follows:

8. That it is evident from the aforesaid order that working the of three continuous years is a mandatory condition for being absorption/appointment, considered for therefore, the petitioner no. 4 and 7 do not come under the zone of consideration hence were not considered whereas rest of the candidates have been considered and their names have to the different already been sent department for being absorbed/appointed against vacant category. For petitioner under posts the example, no. 1 and 2 Class-IV name has of been recommended for absorption/appointment to the District Magistrate, Purnea vide letter no. 1256 dated 12.06.2018.

4. In that background, giving liberty to those who have been left out to agitate the matter afresh before appropriate forum/ Court , accepting the State version that the order stands complied, MJC No. 2150 of 2017 is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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