

S.C. 13
21/8/15

IN THE HIGH COURT OF JUDICATURE AT PATNA

(Miscellaneous Judicial Jurisdiction)

M.J.C. No. _____ of 2015

(In C.W.J.C. No. 15505 of 2014,
Disposed of vide order dated 19.09.14)

Mukesh Kumar Petitioner.

Versus

The State of Bihar and others Opposite Parties.

Sub: Contempt Matter.

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Disposed of vide order dated 19.09.14)

Mukesh Kumar Petitioner.

Versus

The State of Bihar and others Opposite Parties.

SYNOPSIS

:- Present contempt application is being filed for non-compliance of order dated 19.09.2014 passed by Hon'ble Mr. Justice Jayanandan Singh (As His Lordship then was) in C.W.J.C. No. 15505 of 2014 directing to dispose of the representation of petitioner dated 3.6.2014 filed in the light of order dated 24.04.2014 passed in C.W.J.C. No. 22254 of 2013 in accordance with law within two months from the date of receipt/ production of a copy of this order.

2011: Petitioner appeared in BSITET Examination from Saharsa District and cleared it with 60% of marks.

: II :

26.02.2013: Under the direction of this Hon'ble Court passed in CWJC No. 12968/2012 (Wilson Vs The state of Bihar and others) result of Saharsa District was set-aside and re-examination was held ~~at~~ ⁱⁿ place.

:- Petitioner appeared in re-examination and cleared the same again with 68% of marks but he could not be appointed as till then appointment in Maximum Districts were completed.

2014: Some similarly situated candidates moved before this Hon'ble Court vide C.W.J.C. No. 22254/2014 and other analogous cases.

:- Petitioner also filed I.A. No. 1158/2014 (intervention petition) claiming similar relief.

24.04.2014: This Hon'ble Court was pleased to dispose of the aforesaid CWJC No. 22254/2014 and other analogous cases (Annexure-2).

: III :

03.06.2014: Petitioner filed his representation under aforesaid order dated 24.04.2014 before the Principal Secretary of Education Department and Director of Secondary Education also (Annexure-3 and 4).

19.09.2014: Since nothing was done in the case of petitioner, he filed CWJC No. 15505/2014 which was disposed of by this Hon'ble High Court vide Annexure-1.

15.10.2014: Proceeding register establishing the fact ^{that} seat of petitioner was kept reserved (Annexure-5).

12.11.2014: Petitioner produced the order dated 19.09.2014 alongwith his representation before the authorities concerned and receiving receipt was also issued to him on 24.11.2014 (Annexure-6)

But order of this Hon'ble Court has not been complied with till date.

Hence this contempt petition.

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GOVT. OF BIHAR
REGISTRATION, EXCISE & PROHIBITION DEPT.
PATNA SCORE PATNA

COURT FEE

Authorization No. 2674

भारत



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IN THE HIGH COURT OF JUDICATURE AT PATNA

(Miscellaneous Judicial Jurisdiction)

M.J.C. No. _____ of 2015

(In C.W.J.C. No. 15505 of 2014,
Disposed of vide order dated 19.09.14)

In the matter of an
application under Article
215 of the Constitution of
India read with Sections
11 and 12 of the contempt
of Courts Act, 1971;

And

In the matter of

Mukesh Kumar, son of Janardan Yadav, resident of village-
Bhatpura, P.O.-Paharpur Bazar, P.S.-Simeri Bakhtiyarpur,
District-Saharsa.

..... Petitioner.

VERSUS

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna, namely Shri Anjani Kumar Singh.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna, namely Shri R.K. Mahajan.
3. The Director, Secondary Education, Government of Bihar, Patna namely Shri Rambhujhaban Choudhary.
4. District Board Madhepura through its Chairman, namely Smt. Manju Devi.
5. District Board Madhepura through its Chief Executive Officer-cum-Deputy Development Commissioner, Madhepura, namely Shri Mithilesh Kumar.

..... Contemnors/Opposite Parties.

To,

The **Hon'ble Mr. Justice L. Narasimha Reddy**, the Hon'ble Chief Justice of the Hon'ble High Court of Judicature at Patna and His Companion Justices of the said Hon'ble Court.

The humble petition on behalf of the petitioner above-named;

Most Respectfully Sheweth:-

1. That this is an application for initiation of contempt proceeding against the Contemnors/Opposite Parties and in particular Opposite Party No.3 namely the Director, Secondary Education, Government of Bihar, Patna for his wilful disobedience and deliberate disrespect and non-compliance of order dated 19.09.2014 passed by Hon'ble Mr. Justice Jayanandan Singh (As His Lordship then was) in C.W.J.C. No. 15505 of 2014, directing to dispose of representation of petitioner dated 3.6.2014 filed in the light of order dated 24.04.2014 passed in C.W.J.C. No. 22254 of 2013 in accordance with law within two months from the date of receipt/production of a copy of this order.

A Photo copy of order dated 19.09.2014 passed in C.W.J.C. No. 15505 of 2014 is annexed herewith and marked as Annexure-1 to this application.

2. That the petitioner has not moved this Hon'ble Court earlier in the present matter.

3. That the petitioner appeared in B.S.I.T.E.T., 2011 Examination from Saharsa District and cleared it with 60% of marks. This Hon'ble Court vide order dated 26.02.13 passed in C.W.J.C. No. 12968/2012 Wilson Vs The State of Bihar and others was pleased to set aside the results of all candidates who appeared from Saharsa District. This Hon'ble Court further directed to hold fresh Examination. The petitioner appeared and cleared re-test again with 60% of marks but by the time result of re-examination was published the appointment in Maximum District was completed. In this circumstance some of the successful candidates of re-examination preferred C.W.J.C. No. 22254/2013 (Kumar Saurav Vs The State of Bihar and others) and other analogous cases. The petitioner filed I.A. No. 1158/14 for intervening the case but no order could be passed in his case. The petitioner filed representation on 3.6.14 before Principal Secretary of Education Department as well as Director of Secondary Education Department of Education on 3.6.2014.

Copies of order dated 24.04.2014 passed in CWJC No. 22254/2013 and representations dated 3.6.2014 are annexed herewith and marked as Annexure-2, 3 respectively to this application.

4. That no action was taken on the representation and the petitioner was employed no where in this circumstance he was advised and filed C.W.J.C. No. 15505/2014 before this Hon'ble Court. This Hon'ble Court was pleased to direct the Opposite Party No.3, the Director, Secondary Education, Government of Bihar, Patna vide order dated 19.09.2014 (Annexure-1) to dispose of representation of petitioner filed earlier on 3.6.2014 in the light of order dated 24.04.2014 (Annexure-2) within a period of two months from the date of received/production of a copy of this order.

5. That petitioner applied in several Districts and was selected by District Board, Madhepura in camp dated 15.10.2014 in under Backward Class category with 68.14% marks ^{but appointment letter could it be issued} since this Hon'ble Court was pleased to direct Director, Secondary Education, Department of Education, Government of Bihar, Patna to pass order within a period of two months in compliance of order dated 15505/2014 and the seat of petitioner was reserved for the petitioner.

Photo copy of the proceeding register dated 15.10.2014 is annexed herewith and marked as Annexure-5 to this application.

6. That it is stated and submitted that this petitioner filed his representation on 12.11.2014 and receiving receipt issued on 24.11.2014 from the office of Director as necessities has arises of passing order by him in compliance of order dated 19.09.2014 passed in C.W.J.C. No. 15505 of 2014.

Copy of representation dated 12.11.2014 is annexed herewith and marked as Annexure-6 to this application.

7. That the Opposite Parties and in particular Opposite Party No.3 namely Director, Secondary Education, Government of Bihar, Patna, namely Sri Rambhujhaban Choudhary has failed to pass an order in compliance of order dated 19.09.2014 within a period of two months expired on 23.11.2015 and thus has flouted the order of this Hon'ble Court is court of record.
8. That it is clear that the Opposite Parties and in particular Opposite Party No.3 namely Director, Secondary Education, Government of Bihar, Patna has committed contempt of this Hon'ble Court and is liable to be prosecuted under various Sections of contempt of Courts Act, 1971.

9. That the petitioner humbly states and submits that the District Board, Madhepura failed to issue appointment letter to the petitioner under the lame excuse of order of Director in compliance of order dated 19.09.2014 passed in C.W.J.C. No. 15505/2014, he under compelling circumstances filed C.W.J.C. No. 1460 of 2015 which is pending for consideration before this Hon'ble Court.

It is, therefore, prayed that **Your Lordships** may graciously be pleased to issue show cause notice upon the Contemnors/ Opposite parties asking them to show cause as to why not a contempt of Court proceeding be initiated against them for their wilful disobedience and deliberate disrespect to the order dated 19.09.2014 passed by Hon'ble Mr. Justice Jayanandan Singh (As His Lordship then was) in C.W.J.C. No. 15505 of 2014 and on cause being shown, if any,

and after hearing the parties be pleased to punish them suitably.

And/or

Pass such other order or orders as to Your Lordships may deem fit and proper in the facts and circumstances of this case.

And for this, the petitioner shall ever pray.

AFFIDAVIT

I, Mukesh Kumar, aged about 27 years, son of Janardan Yadav, resident of village-Bhatpura, P.O.-Paharpur Bazar, P.S.-Simari Bakhtiyarpur, District-Saharsa; do hereby solemnly affirm and state as follows:

1. That I am Petitioner in the instant case and as such am well acquainted with the facts and circumstances of this case.
2. That the contents of this contempt petition have been read over by me which I have fully understood and the statements made therein are true to my knowledge and information derived from the records of the case which I believe to be true.
3. That the Annexure are true/typed copies of their respective originals.

Mukesh Kumar

Annexure-1

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15505 of 2014

11

1. Mukesh Kumar S/o Janardan Yadav resident of village- Bhatpur, P.O. Paharpur Bazar, P.S. Simeri Bakhtiyarpur, District Sonarsa

Petitioner/s

Versus

- 1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
- 2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna
- 3. The Director, Secondary Education, Govt. of Bihar, Patna

Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh
For the Respondent/s : Mr. 13- Arvind Kumar-1

CORAM: HONOURABLE MR. JUSTICE JAYANANDAN SINGH
ORAL ORDER

2 19-09-2014

Learned counsel for the petitioner submits that petitioner has filed a representation before the Principal Secretary on 03.05.2014, in terms of earlier order of this Court dated 24.04.2014 passed in the writ matter, a copy whereof is Annexure-1 with the writ application. He submits that the same has not yet been considered and final orders have not been passed on the same.

This writ application is accordingly disposed of with a direction to the Director, Secondary Education, Government of Bihar, Patna to take cognizance of the representation of the petitioner and consider the same, in the light of the said orders

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passed by this Court, and pass final orders in accordance with law within two months from the date of receipt/production of a copy of this order.

sdlr
(Jaysanandan Singh)

Arvind/-

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CERTIFIED TO BE TRUE PHOTO COPY

All Secy 26.9.14

For Joint Registrar (J)

Patna High Court

Authorized U/S 76 Act I of 1972

A. S. O.
26/9/2014
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APPENDIX 2

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22254 of 2013

1. Kumar Shaurabh Son Of Sri Balram Prasad Yadav Resident Of Musharnia, P.O. - Gamhria (Rampur), P.S. - Saur Bazar, District - Saharsa
2. Pankaj Kumar Jha Son Of Sri Chandra Shekhar Jha Resident Of Village + P.O. - Sihaul, P.S. - Bihara, District - Saharsa
3. Avinash Kumar Bhagat Son Of Awadheswar Prasad Bhagat Resident Of Village + P.O. - Bhawdeva, P.S. - Simri Bakhtiyarpur, District - Saharsa
4. Om Prakash Kumar Son Of Kapildeo Prasad Yadav Resident Of Village - Pathraha, P.O. + P.S. - Ghailah, District - Madhepura
5. Sanjeet Kumar Son Of Rajendra Prasad Bhagat Resident Of Village - Saptiyahi, P.O. - Nariyar, P.S. + District - Saharsa
6. Bablu Kumar Son Of Debo Yadav Resident Of Village - Partaha, P.O. - Parhara, P.S. - Nauhatta, District - Saharsa
7. Banshidhar Jha Son Of Devendra Jha Resident Of Village + P.O. - Balia, P.S. - Nauhatta, District - Saharsa
8. Giridhar Kumar Son Of Devendra Jha Resident Of Village + P.O. - Balia, P.S. - Basnahi, District - Saharsa
9. Dinesh Kumar Son Of Prako Sah Arvind Resident Of Village + P.O. - Sihaul, P.S. - Bihra, District - Saharsa
10. Ganesh Kumar Son Of Kishan Chand Yadav Resident Of Village + P.O. - Sattar, P.S. - Bihra, District - Saharsa
11. Dipak Kumar Son Of Upendra Mahto Resident Of Village + P.O. - Kabira, P.S. - Balakhua, District - Saharsa
12. Shatrughna Kumar Son Of Nimal Yadav Resident Of Village - Shishwa, P.O. - Wajant Patti, P.S. - Barhara Kothi, District - Purnea
13. Anil Kumar Son Of Ram Bahadur Yadav Resident Of Village - Misrauli, P.O. - Saur Majhau, P.S. - Nauhatta, District - Saharsa
14. Kundan Kumar Son Of Sri Surendra Narayan Singh Resident Of Village + P.O. - Jalsima, P.S. - Sonbarsa Raj, District - Saharsa
15. Ranjit Kumar Jha Son Of Sri Shri Krishna Jha Resident Of Village - Saur (Durga Sthan), P.S. - Bangaon, District - Saharsa
16. Santosh Kumar Son Of Dineshwar Mehta Resident Of Village - Maheshpur, P.O. - Samda, P.S. - Saur Bazar, District - Saharsa
17. Md. Abdur Rahman Son Of Md. Hussain Resident Of Saharsa Bazar - Ward No. 31, P.S. + District - Saharsa
18. Akesh Kumar Mishra Son Of Sri Maheshwar Mishra Resident Of Village + P.O. - Nonati, P.S. - Basnahi, District - Saharsa
19. Gopal Jha Son Of Sri Amar Kant Jha Resident Of Village + P.O. - Bangaon, P.S. - Bangaon, District - Saharsa
20. Priya Ranjan Son Of Fuleshwar Mishra Resident Of Village + P.O. - Sihaul, P.S. - Bihra, District - Saharsa
21. Gopesh Kumar Son Of Nand Kishor Khan Resident Of Village + P.O. - Bangaon Purbi, P.S. - Bihra, District - Saharsa
22. Pranat Kumar Jha Son Of Sri Laliteshwar Jha Resident Of Village - Baghwa, P.O. - Gopalpur, P.S. - Simri Bakhtiyarpur, District - Saharsa
23. Suman Kumar Singh Son Of Shashidhar Prasad Singh Resident Of Satya Nagar, Professor Colony, Gangjala, Ward No. 16, P.S. + District - Saharsa
24. Bibhuti Ranjan Singh Son Of Nawal Kishor Singh Resident Of Village -

COPY

REGISTRATION, EXCISE & PROHIBITION DEPT.
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- + P.O. - Panchgachhia, P.S. - Biha, District - Saharsa
- 25. Amit Kumar Son Of Shri Ramyatna Singh Resident Of Village - Maharaj, P.O. - Sarbela, P.S. - Simri Bakhtiyarpur, District - Saharsa
- 26. Ajay Prakash Son Of Sri Rajendra Prasad Resident Of Chankyapur Gangjala, P.S. + District - Saharsa
- 27. Rakesh Kumar Son Of Shivchandra Prasad Singh Resident Of Mahabo Maht, P.O. - Salkhua Bazar, P.S. - Salkhua, District - Saharsa
- 28. Sudhir Kumar Singh Son Of Late Brahmdeo Singh Resident Of Village + P.O. - Kathdumar, P.S. - Simri Bakhtiyarpur, District - Saharsa
- 29. Dheeraj Kumar Son Of Binod Prasad Singh Resident Of Village - Dhanchhoha, P.O. - Mithai, P.S. - Saur Bazar, District - Saharsa
- 30. Kumar Gaurav Son Of Jai Prakash Sahi Resident Of Village - Baryi Basri, Ward No. 09, Purab Tola, P.O. - Rammani, P.S. - Bangson, District - Saharsa
- 31. Pavitra Das Son Of Bindeshwar Das Resident Of Village - Tola, Subedari Tola, Ward No. 39, P.S. - Saharsa, District - Saharsa

..... Petitioner/s

Versus

- 1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Patna
- 2. The Principal Secretary, Department Of Education, Government Of Bihar, Patna
- 3. The Director, Secondary Education, Government Of Bihar, Patna
- 4. The Bihar School Examination Board (Higher Secondary) Through Its Secretary, Budh Mani, Patna
- 5. The Secretary, Bihar School Examination Board (Higher Secondary), Budh Mani, Patna

..... Respondent/s

with

Civil Writ Jurisdiction Case No.3744 of 2014

Sudhanshu Shekhar Son Of Suman Kant Choudhary Resident Of Village - Mahishi, P.S.- Mahishi, District- Saharsa

..... Petitioner/s

Versus

- 1. The State Of Bihar Through The Principal Secretary, Department Of Education, Government Of Bihar, Patna
- 2. The Secretary, Department Of Education, Government Of Bihar, Patna
- 3. The Director, Secondary Education, Government Of Bihar, Patna
- 4. The Secretary, Bihar School Examination Board, Patna

..... Respondent/s

with

Civil Writ Jurisdiction Case No.3745 of 2014

- 1. Roshan Kumar Choudhary Son Of Jawahar Choudhary
- 2. Sadanand Thakur Son Of Late Vasudev Thakur

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- 3. Bhagwanjee Jha, Son Of Padmanand Jha
 - 4. Ajit Kumar Choudhary Son Of Jawahar Choudhry
- All Resident Of Village- Mahishi, P.S.- Mahishi, District- Saharsa

..... Petitioner/s

Versus

- 1. The State Of Bihar Through The Principal Secretary, Department Of Education, Government Of Bihar, Patna
- 2. The Principal Secretary, Department Of Education, Government Of Bihar, Patna
- 3. The Director, Secondary Education, Government Of Bihar, Patna
- 4. Secretary, Bihar School Examination Board, Patna

..... .. Respondent/s

Appearance :

(In CWJC No.22254 of 2013)

- For the Petitioner/s : Mr. Prasad Mishra, Adv.
- For the Respondent/s : Mr. Subhash Poo. Singh, GA-7
- For the BSEB : Mr. Satyabir Bharti, Adv.

(In CWJC No.3744 of 2013)

- For the Petitioner/s : Mr. Madhav Jha, Adv.
- For the Respondent/s : Mr. Ashok Priyadarshi, GA-4
- For the BSEB : Mr. Satyabir Bharti, Adv.

(In CWJC No.3745 of 2013)

- For the Petitioner/s : Mr. Madhav Jha, Adv.
- For the Respondent/s : Mr. J.S. Barnawal, GA-5
- For the BSEB : Mr. Satyabir Bharti, Adv.

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

9 24-04-2014

Heard learned counsel for the parties.

Pursuant to the earlier order of this Court, Mr. Prasad Mishra, Deputy Director, Secondary Education has appeared in person and by filing third supplementary counter affidavit, it has been stated that out of 31 petitioners, 15 of them have already been accommodated by way of appointment, as they were found to be in the zone of consideration in the different districts. He has also submitted that now the entire exercise has been completed.

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and, therefore, if the rest of the petitioners, who could not be selected and appointed, have a grievance, they can definitely raise it before the appropriate forum on any ground whatsoever. It has also been sought to be explained that as regard to the petitioner no.31, he is an aspirant for the post of Music Teacher and process of selection and appointment on the post of Music Teacher has not yet been initiated and as and when the process of appointment of Music Teacher will be taken up, the case will also be considered.

That being so, these applications are disposed of with a liberty to the rest of the petitioners, who have not been selected and appointed, to move appropriate forum, raising their grievances for their appointment on the post of teachers.

The personal appearance of Mr. Ajit Kumar, Deputy Director, Secondary Education is dispensed with.

sdl
(Mihir Kumar Jha, J)

Rishi/-

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AJ...
05-5-14

For Joint Registrar (J)
Patna High Court
Authorized U/S 76 Act of 1982

J. Jha
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Annex-2

(24)

ANNEXURE-3

(17)

Copy. To,

03/06/14
21/07/14

The Director, Secondary Education Government of
New Secretariat -
Bihar. ~~Buddh Marg~~ Patna-800001.

Ref: - Related to the order dated 24-04-2014 in CWJC
No.22254 of 2013, Kumar Saurav versus The State of Bihar &
others.

Sir,

With great respect and kind consideration we want to submit that the CWJC No. 22254 of 2013 was preferred for commanding the concern authorities to grant the necessary permission for their participation in counselling conducted for the appointments of the Secondary School teacher under Advertisement No. 36/211, wherein the candidate selected in eligibility test 2011 are eligible for the counselling. We have preferred I.A No. 1158/2014 in CWJC No. 22254 of 2013 and joined their hands on the grounds of equity and seeking the same and similar reliefs as their claims are identical and based on the same

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footing. The aforesaid writ petition was heard and finally disposed on 24-04-2014 by referring that "by filling third supplementary counter affidavit it has been stated that out of 31 petitioners, 15 of them have already accommodated by way of appointments, as they were found to be in the zone of consideration in the different district, he has therefore if the rest of the petitioners could not be selected and appointed had a grievances, they can definitely raise it before the appropriate forum on any ground whatsoever.

We would like to submit that in terms of the counter affidavit the selection process had already taken rest and the Hon'ble High Court had given a liberty to raised their grievances before the appropriate forum on cogent ground whatsoever. The steps have been taken by employment committee for the consideration of the candidature of the remaining others among 31 petitioners, whose name placed in CWJC No. 22254 of 2013, but there is none-consideration of the candidature of others petitioners including the intervener petitioners, in such a situations it appears that the action of selection committee is discriminatory and violate of the right of Equity

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incorporated under Article 14 and 16 of The Constitution of India.

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We would like to submit further that neither the stand of State Government in affidavit nor the orders of the Hon'ble High Court reflects the directions if any for the selections of the remaining parties, but in case the State had decided to consider the candidature of remaining others, then being intervener petitioners, we are equally entitled for the consideration and consequently for appointments on the basis of merit under the merit list.

We therefore prays that your honour may graciously please to examine our bonafide bases for selection/appointments on the basis of the merit position maintained by the selection committee by giving same and similar treatment to remaining others petitioners and maintain equity by removing the discriminations.

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And/or any others orders in
accordance with law.

Your's:-

Mukesh Kumar

Son of Janardan Yadav

Village:- Bhatpura

P.O:- Pharpur

P.S:- Simri Bakhtiarpur

District:- saharsa.

Enclosures:-

1. Order dated 24-04-2013 in CWJC No. 22254 of 2013.
2. Photo copy of the relevant portions of I.A No. 1158 of 2014
containing the name of the Intervener petitions.

Annex-4 (23) (2)

दिनांक 15.10.2014 को अल्लू बाबु सभागार में जिला परिषद माध्यमिक शिक्षक नियोजन हेतु कैम्प को आयोजन कार्यवाही:-

उपस्थिति: सभा पंजी के अनुसार:

सर्वप्रथम मुख्य कार्यपालक पदाधिकारी, जिला परिषद मधेपुरा ने उपस्थित सभी सदस्यों एवं छात्रों को आज के कैम्प में माध्यमिक शिक्षक नियोजन हेतु विषयवार, कोटिवार रिक्ती पढकर सुनाया गया जो निम्न प्रकार है:-

दिनांक-15.10.2014 को जिला परिषद माध्यमिक शिक्षकों के नियोजन हेतु कैम्प लगाने हेतु विषयवार कोटिवार चयनित अभ्यर्थियों की संख्या एवं रिक्ती की विवरणी:-

क्र०	विषय का नाम	कोटिवार रिक्ती								
		UR	EBC	BC	SC	ST	RF	UR(H)	EBC(HC)	Total
1	हिन्दी	1			3			1		5
2	विज्ञान							1		1
3	उर्दू			2	2					4
4	अंग्रेजी	2	1	1	4		1	1		10
5	सामाजिक विज्ञान	1		1	1	1		1	1	6
6	शांति शिक्षा				2					2
7	संस्कृत		2	2	4		1	1		10
8	गणित	1		6				1		8
9	भूगोल				1					1
	कुल योग	5	3	12	17	1	2	6	1	47

उपरोक्त रिक्ती के आलोक में निम्न प्रकार विषयवार अभ्यर्थी उपस्थित हुए।

क्रमांक	विषय	अभ्यर्थियों की उपस्थिति
1	गणित	03
2	सामाजिक विज्ञान	11
3	हिन्दी	01

इस प्रकार विषयवार उपस्थित अभ्यर्थियों में विषयवार, कोटिवार अभ्यर्थियों का निम्न प्रकार चयन किया गया। जो निम्न प्रकार है:-

क्रमांक	विषय	अभ्यर्थी का नाम	पिता का नाम	मेका अंक	कोटि	चयनित कोटि	अभ्युक्ति
1	गणित	शेखर सुमन	प्रभु दयाल साह	89.08	अ0पि0 वर्ग	अ0पि0 वर्ग	
2	सा0 विज्ञान	संजय कुमार	गहनंद प्र0 यादव	88.78	पि0 वर्ग	सांगान्य	जम्मू वि०, स० वि०
3	सा0 विज्ञान	मुकेश कुमार	जनादेन यादव	88.14	पि0 वर्ग	पि0 वर्ग	
4	सा0 विज्ञान	सतोष कुमार	जनक राम	84.17	अ0 जा0	अ0 जा0	

सामाजिक विज्ञान के अभ्यर्थी संजय कुमार जम्मू विश्वविद्यालय से बी० एड० की डिग्री प्राप्त किये है इसलिए माध्यमिक शिक्षा के पत्रांक 893 दिनांक 13.06.13 के निर्देश के आलोक में पद सुरक्षित रहेगा। बाद में न्यायालय से आदेश प्राप्त होने के पश्चात इन्हे विद्यालय आवंटन कर नियोजन पत्र दिया जायेगा। इसी विषय में अभ्यर्थी मुकेश कुमार सहरसा जिला से सांगान्य परीक्षा सहरसा जिला से उत्तीर्ण है जिसके संबंध में उच्च न्यायालय पटना में दायर वाद संख्या 15505/2014 में पारित कोटिवार की प्रति समिति के समक्ष रखा गया। उक्त न्यायालय आदेश के आलोक में मुकेश कुमार का चयन किया गया, चूंकि माननीय उच्च न्यायालय पटना के द्वारा वाद संख्या 15505/2014 में निर्देशक माध्यमिक शिक्षा, बिहार, पटना को नियमानुसार दो माह के अन्दर अन्तिम आदेश पारित करने का निर्देश दिया गया है, इसलिये इनका स्थान तत्काल सुरक्षित रखा गया। हिन्दी विषय में उपस्थित विकास कुमार बबलू कागजात समर्पित करते समय उपस्थित नहीं हुए, इसलिए उनका दावा समाप्त किया जाता है।

अंत में मान्यवाद ज्ञापन के बाद बैठक की कार्यवाही समाप्त की जाती है।

15/10/14
D.P.O.
Est. (M.D.A.)

मुख्य कार्यपालक पदाधिकारी,
जिला परिषद, मधेपुरा।
15/10/14
15/10/14

संजु देवी
15/10/2014
अध्यक्ष,
जिला परिषद, मधेपुरा।

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प्रतिष्ठा में,

10/11/14
24/11/14

निदेश (मानवीय),
शिक्षा विभाग,
बिहार सरकार, पटना ।

Annexure-5

22

प्रतिष्ठान - माध्यमिक शिक्षक नियोजन हेतु माननीय उच्च न्यायालय द्वारा सी0डब्लू0नं0
सी0 संख्या-15505/2014 में पारित आदेश के परिपेक्ष में नियुक्ति हेतु ।
विषय - प्रासांगिक संदर्भ में मेरी नियुक्ति जिला पारबट, मधेपुरा में शिक्षक पद पर
करने हेतु ।

महाशय,

प्रासांगिक संदर्भ में विषयवस्तु उद्देश्यवशा श्रीमान् से निवेदन है कि

माननीय उच्च न्यायालय पटना द्वारा दिनांक 19.09.2014 को मुझे शिक्षक पद पर
नियुक्ति हेतु आदेश पारित करने की कृपा की गई है । जिसकी छाया प्रोत प्रस्तुत आदेश
के साथ श्रीमान् के अफिस नार्थ रोलमन कर रहा हूँ । माध्यमिक शिक्षक नियोजन दिनांक
15.10.2014 जिला पारबट माध्यमिक शिक्षक नियोजन हेतु कैम्प का आयोजन में मेरी
बहाली सामाजिक विज्ञान में शिक्षक के पद पर हो गई है । चूंकि जिला पारबट मधेपुरा
नियोजन इकाई का कहना है कि आप तब तक जिले से शिक्षक पात्रता परीक्षा पास लिये
हैं । इसलिए आपके स्थान को सुरक्षित रखा जाता है । जब तक कि निदेशक
माध्यमिक शिक्षा, बिहार सरकार, पटना से मधेपुरा जिला पारबट, मधेपुरा नियोजन इकाई
को नियुक्ति पत्र भिजाने का आदेश पारित नहीं हो जाता है । चूंकि माननीय उच्च
न्यायालय पटना के द्वारा पद संख्या-15505/2014 में निदेशक माध्यमिक शिक्षा बिहार
पटना को दो माह के अन्दर शीघ्र आदेश पारित करने का निर्देश दिया गया है ।
इसलिए तत्काल आपके स्थान को सुरक्षित रखा गया है, तत्काल कार्यवाही की संज्ञा
प्रति संलग्न कर रहा हूँ ।

अतः श्रीमान् से प्रार्थना है कि मुझे शिक्षक के पद पर नियुक्ति हेतु आदेश
पारित करने की कृपा की जाय । इसके लिए मैं श्रीमान् का सदा आभारी रहूंगा ।

अनुसम - जिला पारबट मधेपुरा
नियोजन इकाई कार्यवाही की
सं प्रति संलग्न स्व कोषित ।

विभागाध्यक्ष,
मुकेश कुमार
पिता-श्री जगन्नाथ दास
विषय - सामाजिक विज्ञान (प्रासांगिक) Trained
कोट - पटना, पता अंक-88-14

ANNEXURE- 4 Typed Copy

थदनांक- 15/10/2014 को झल्लू बाबु सभागार में जिला परिषद माध्यमिक शिक्षक नियोजन हेतु कैम्प के आयोजन की कार्यवाही:-

उपस्थिति :-गंधा पंजी के अनुसार।

सर्वप्रथम मुख्य कार्यपालक पदाधिकारी, जिला परिषद मधेपुरा ने उपस्थित सभी सदस्यों एवं छात्रों को आज के कैम्प में माध्यमिक शिक्षक नियोजन हेतु विषयवार, कोटिवार रिक्ती पढ़कर सुनाया गया जो निम्न प्रकार है :-

दिनांक- 15/10/2014 को जिला परिषद माध्यमिक शिक्षकों के नियोजन हेतु कैम्प लगाने हेतु विषयवार कोटिवार चयनित अभ्यर्थियों की संख्या एवं रिक्ती की विवरणी:-

क्र०	विषय का नाम	कोटिवार रिक्ती								
		UR	EBC	BC	SC	ST	RF	UR(H)	EBC(HC)	Total
1.	हिन्दी	1			3			1		5
2.	बिज्ञान							1		1
3.	उर्दू			2	2					4
4.	अंग्रेजी	2	1	1	4		1	1		10
5.	समाजिक विज्ञान	1		1	1	1		1	1	6
6.	शारिरिक शिक्षा				2					2
7.	संस्कृत		2	2	4		1	1		10
8.	गणित	1		6				1		8
9.	मैथिली				1					1
	कुल योग	5	3	12	17	1	2	6	1	47

उपरोक्त रिक्ती के आलोक में निम्न प्रकार विषयवार अभ्यर्थी उपस्थित हुए।

क्रमांक	विषय	अभ्यर्थियों की उपस्थिति
1.	गणित	03
2.	समाजिक विज्ञान	11
3.	हिन्दी	01

इस प्रकार विषयवार उपस्थित अभ्यर्थियों में विषयवार, कोटिवार अभ्यर्थियों का निम्न प्रकार चयन किया गया। जो निम्न प्रकार है :-

क्र०	विषय	अभ्यर्थी का नाम	पिता का नाम	मेधा अंक	कोटि	चयनित कोटि	अभ्युक्ति
1.	गणित	शेखर सुमन	प्रभु दयाल साह	69.08	अ० पि० वर्ग	अ० पि० वर्ग	
2.	सा० विज्ञान	संजय कुमार	महेन्द्र प्र० यादव	68.78	पि० वर्ग	सामान्य	जम्मू वि० सुरक्षित
3.	सा० विज्ञान	मुकेश कुमार	जनार्दन यादव	68.14	पि० वर्ग	पि० वर्ग	
4.	सा० विज्ञान	संतोष कुमार	जनक राम	64.17	अ० जा०	अ० जा०	

समाजिक विज्ञान के अभ्यर्थी संजय कुमार जम्मू विश्वविद्यालय से बी० एड० की डिग्री प्राप्त किये है इसलिए निदेशक माध्यमिक शिक्षा के पत्रांक- 893 दिनांक- 13/06/13 के निदेश के आलोक में पद सुरक्षित रहेगा। बाद में न्यायालय से आदेश प्राप्त होने के पश्चात् इन्हे विद्यालय आवंटन कर नियोजन पत्र दिया जायेगा। इसी विषय में अभ्यर्थी मुकेश कुमार सहरसा जिला से शिक्षक पात्रता परीक्षा सहरसा जिला से उत्तीर्ण है जिसके संबंध में उच्च न्यायालय पटना में दायर वाद संख्या- 15505/2014 में पारित आदेश की प्रति समिति के समक्ष रखा गया। उक्त न्यायालय आदेश के आलोक में मुकेश कुमार का चयन किया गया, चूंकि माननीय उच्च न्यायालय, पटना के द्वारा वाद संख्या 15505/2014 में निदेशक माध्यमिक शिक्षा, बिहार, पटना को नियमानुसार दो माह के अन्दर अन्तिम आदेश पारित करने का निर्देश दिया गया है, इसलिये इनका स्थान तत्काल सुरक्षित रखा गया। हिन्दी विषय में उपस्थित विकास कुमार बबलू कागजात समर्पित करते समय उपस्थित नहीं हुए, इसलिए उनका दावा समाप्त किया जाता है।

अंत में धन्यवाद ज्ञापन के बाद बैठक की कार्यवाही समाप्त की जाती है।

ह०/अस्पष्ट
मुख्य कार्यपालक पदाधिकारी,
जिला परिषद, मधेपुरा।

मंजू देवी
15/10/2014
अध्यक्ष,
जिला परिषद, मधेपुरा।

ANNEXURE- 5 Typed Copy

प्रतिष्ठा में,

निदेशक (मा० शि०)

शिक्षा विभाग,

बिहार सरकार, पटना।

प्रसंगः-- माध्यमिक शिक्षक नियोजन हेतु माननीय उच्च न्यायालय द्वारा सी०डब्लू०जे०सी० संख्या- 15505/2014 में पारित आदेश के परिपेक्ष में नियुक्ति हेतु।

विषयः-- प्रासांगिक संदर्भ में मेरी नियुक्ति जिला परिषद्, मधेपुरा में शिक्षक पद पर करने हेतु।

महाशय,

प्रासांगिक संदर्भ में विषयांकित उद्देश्यवश श्रीमान् से निवेदन है कि माननीय उच्च न्यायालय, पटना द्वारा दिनांक- 19/09/2014 को मुझे शिक्षक पद पर नियुक्ति हेतु आदेश पारित करने की कृपा की गई है। जिसकी छायाप्रति प्रस्तुत आवेदन के साथ श्रीमान् के अवलोकनार्थ संलग्न कर रहा हूँ। माध्यमिक शिक्षा नियोजन दिनांक- 15/10/2014 जिला परिषद् माध्यमिक शिक्षक नियोजन हेतु कैम्प का आयोजन में मेरी बहाली सामाजिक विज्ञान में शिक्षक के पद पर हो गई है। चूंकि जिला परिषद् मधेपुरा नियोजन इकाई का कहना है कि आप सहरसा जिले से शिक्षक पात्रता परीक्षा पास किये हैं। इसलिए आपके स्थान को तत्काल सुरक्षित रखा जाता है। जब तक कि निदेश माध्यमिक शिक्ष, बिहार सरकार, पटना से मधेपुरा जिला परिषद् मधेपुरा नियोजन इकाई को नियुक्ति पत्र निर्गत करने का आदेश पारित नहीं हो जाता है। चूंकि माननीय उच्च न्यायालय पटना के द्वारा वाद संख्या- 15505/2014 में निदेशक माध्यमिक शिक्षा बिहार पटना को दो माह के अन्दर अंतिम आदेश पारित करने का निदेश दिया गया है। इसलिए तत्काल आपके स्थान को सुरक्षित रखा गया है, जिसका कि कारवाही की एक छाया प्रति संलग्न कर रहा हूँ।

अतः श्री मान से प्रार्थना है कि मुझे शिक्षक के पद पर नियुक्ति हेतु आदेश पारित करने की कृपा की जाय। इसके लिए मैं श्रीमान् का सदा आभारी रहूँगा।

अनुलग्नक- जिला परिषद् मधेपुरा

नियोजन इकाई कार्यवाही की

एक प्रति संलग्न एवं यधोपित।

विश्वासभाजन

मुकेश कुमार

पिता - श्री जर्नादन यादव

विषयः- समाजिक विज्ञान प्रशिक्षित

कोटि- पिछड़ा, मेधा अंक- 68.14