



2025:PATHC:110192

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3806 of 2025

In

Civil Writ Jurisdiction Case No.22821 of 2019

1. Kumari Amrita Sinha Wife of Ajay Kumar, Resident of Village and Post Office -Salarpur, Police Station- Daniyawar, District - Patna, Pin Code-801305.
2. Shivani Kumari, Wife of Shri Rajeev Ranjan Kumar, Resident of Village - Kismiriyan, Post Office - Mohiuddinpur, P.S.-Fatuah, District - Patna Pin Code-803201.
3. Akhilanand Pandey, Son of Shri Kant Pandey, Resident of Village- Mohiuddinpur, Post Office- Peshaur, P.S.- Bihar Sharif, District Nalanda, Pin Code-803201.
4. Ajay Kumar, Son of Shri Ram Nagina Singh, Resident of Village and Post Office-Telmar, P.S.-Harnaut, District - Nalanda, Pin Code-803202.
5. Veermani Kumar, Son of Shri Indrajeet Kumar, Resident of Village and Post Office- Salarpur, P.S.-Daniyawar, District - Patna, Pin Code-801305.
6. Dhanajay Kumar Chaurasia, Son of Shri Lakshman Prasad, Resident of Village and Post Office-Berthu, P.S.-Karaiparsurai, District Nalanda, Pin Code-801304.
7. Ashwani Kumar, Son of Shri Alakhnarayan Singh, Resident of Village- Old Kanakabagh, Gate No.14, Post Office -Lohianagar, P.S.-Patrakar Nagar, District-Patna, Pin Code-800020.
8. Vinay Kumar, Son of Shri Ramadhin Sao, Resident of Village, Post Office and P.S.-Nagarnausa, District - Nalanda, Pin Code-801305.
9. Shashi Bhushan Kumar, Son of Shri Rajdeo Prasad, Resident of Village-Sathopur, Post Office-Maghra, P.S.-Deepnagar, District - Nalanda, Pin Code-803101.
10. Madhu Rani, Wife of Shri Jitendra Kumar, Resident of Village- Magla Nagar, Ramchandarpur, Post Office- Bihar Sharif, P.S.- Laheri, District Nalanda, Pin Code-803101.
11. Punam Kumari, Wife of Shri Manoj Kumar Chaurasia, Resident of Village-Pokharia, Post Office, Police Station and District- Begusarai, Pin Code-851101.
12. Punam Kumari, Wife of Shri Rajeev Kumar Ranjan, Resident of Village and Post Office- Bhubhi, P.S.- Nagarnausa, District - Nalanda, Pin Code-801302.
13. Bhargwi Kumari, Daughter of Shri Ram Nandan Paswan, Resident of Village- Bando, Post Office- Bhaganbigha, P.S.-Rahui, District- Nalanda, Pin Code-803118.
14. Needu Kumari, Daughter of Shri Jitesh Kumar, Resident of Village-Mirzapur, Post Office-Bangpur, P.S.-Parbalpur, District - Nalanda, Pin Code-803114.
15. Mamta Kumari, Daughter of Shri Prakash Sharma, Resident of Village-Sakari, Post Office-Laranpur, P.S.-Eslampur, District- Nalanda, Pin Code-803116.





16. Dhananjay Kumar Chakrawarti, Son of Shri Madhusudan Ram, Resident of Village- Marwa, Post Office-Eraibenipur, P.S.-Daniyawar, District - Patna, Pin Code-801305.
17. Seema Kumari, Daughter of Shri Jitendra Prasad, Resident of Village and Post Office-Kohma, P.S.-Daniyawar, District - Patna, Pin Code-803202.
18. Rajni Kant Kumar, Son of Shri Raja Ram Prasad, Resident of Village - Deonagar, Hilsa, P.O. and P.S.-Hilsa, District - Nalanda, Pin Code-801304.
19. Deepak Kumar Paswan, Son of Shri Awadhesh Kumar Paswan, Resident of Village and Post Office-Nerut, P.S.-Sare, District - Nalanda, Pin Code-803107.
20. Shobha Kumari, Wife of Shri Mukesh Kumar, Resident of Village-Kathal Tola, Post Office and PS- Sohsarai, District - Nalanda, Pin Code-803118.
21. Fatma Zohra, Daughter of Shri Sheikh Muhammad Abul Vaish, Resident of Mohalla Bank of India, Indrapuri colony, P.S.-Shastri Nagar, District - Patna, Pin Code-800014.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri (Dr.) B. Rajender, The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. Sri Mayank Warwade, Director, Primary Education, Bihar Patna
3. Sri Kundan Kumar, The District Magistrate, Nalanda.
4. Sri Anand Vijay, The District Education Officer, Nalanda.
5. Sri Nand Kishore Prasad, Block Development Officer, Karaiparsurai, District Nalanda.
6. Sri Nilesh Kumar Ranjan, Block Education Officer, Karaiparsurai, District Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ram Prakash Kumar, Advocate
For the State	:	Mr. J.K. Roy, SC-13
		Mr. U.K. Singh, AC to SC-13

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-12-2025 Heard learned counsel for the petitioners and learned
Standing Counsel-13.

2. Learned counsel for the petitioners submits that the
instant contempt application has been filed for initiating a





proceeding of contempt against the contemnor-opposite parties for their willful disobedience of the order dated 13.02.2025, passed in CWJC No.22821 of 2019. Learned counsel for the petitioners further submits that petitioners had approached this Court by filing CWJC No.22821 of 2019 for a direction upon the authorities to allow the petitioners to join as Teachers in pursuance of the order dated 09.08.2019, passed by the learned Presiding Officer, District Appellate Authority, Nalanda in Case No.03 of 2019. It is submitted that in the aforesaid writ application, the District Programme Officer (Establishment), Nalanda had appeared and had submitted that he has joined recently and thus was not aware of the facts of the case as the same was never brought to his notice. It is next submitted that no appeal against the order dated 09.08.2019 in Case No.03 of 2019 passed by the District Appellate Authority, Nalanda was preferred by the authorities, as such, in absence of challenge the order had attained finality.

3. At this stage, learned counsel appearing on behalf of the State submits that what is being submitted by learned counsel for the petitioners is not disputed but then this Court had also recorded in the order that the authorities are not precluded from challenging the order dated 09.08.2019 in Case





No.03 of 2019, passed by the District Appellate Authority, Nalanda in accordance with law but it was also observed that if the authorities had not preferred any appeal against the order dated 09.08.2019 in Case No.03 of 2019, in that event, they cannot take advantage of their own wrong, thus the authorities were directed to comply the order dated 09.08.2019 in Case No.03 of 2019 within a period of two weeks from the order dated 13.02.2025 and the order dated 13.02.2025 also recorded that authorities are not precluded from availing their remedy in accordance with law against the order passed by the District Appellate Authority, Nalanda in Case No.03 of 2019.

4. It is submitted that the order dated 09.08.2019 was to be implemented by the District Programme Officer (Establishment), Nalanda within a period of two weeks, i.e., by 27.02.2025 and, at the same time, he had a liberty to move in appeal. It is next submitted that an appeal against the order dated 09.08.2019 in Case No.03 of 2019 was filed before the State Appellate Authority on 18.02.2025 and the State Appellate Authority stayed the operation of the order dated 09.08.2019 in Case No.03 of 2019 by an order dated 24.02.2025, thus prior to the time coming to an end for implementing the order dated 09.08.2019 in Case No.03 of 2019 fixed by this Court, the order





dated 09.08.2019 was already stayed. It is next submitted that State Appellate Authority finally set aside the order dated 09.08.2019 in Case No.03 of 2019, passed by the District Appellate Authority, Nalanda by an order dated 25.11.2025. It is thus submitted that it cannot be construed that the authorities deliberately violated the orders of this Court dated 13.02.2025 in CWJC No.22821 of 2019.

5. After hearing the learned counsel for the parties, the Court is in complete agreement with the submissions made by the learned State Counsel that no case for contempt is made out.

6. The contempt application is, accordingly, dismissed. However, the same will not preclude the petitioners from assailing the order passed by the State Appellate Authority in accordance with law before an appropriate forum.

(Satyavrat Verma, J)

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