

Padmesh Jain Vs. the State of Bihar and ors.

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Court : Patna

Decided On : May-12-2012

Appellant : Padmesh Jain

Respondent : The State of Bihar and ors.

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Miscellaneous Jurisdiction Case No.353 of 2011 Padmesh Jain, D/o late Rajendra Kumar Jain, resident of Mirganj, P.O. and P.S. Mirganj, District Gopalganj Petitioner Versus 1. The State Of Bihar 2. Mr. Kamal Kumar Sinha, the Director, Secondary Education, Department of Human Resources Development, Govt. of Bihar, Patna 3. Mr. Vishwanath Pratap Singh, the District Education Officer, Gopalganj, District Siwan, Gopalganj 4. Sudhir Kumar Jain, son of Santosh Kumar Jain, Jayent Jyoti-5, Riding Road, Sheikhpura, P.S. Shastri Nagar, District Patna, the Secretary, Sahu Jain Balika High School, Mirganj, P.S. Mirganj, District Gopalganj Respondents ----- 4. 12.1.2012 Having heard counsel for the parties and taking into account that the District Education Officer, Gopalganj has ultimately passed an order as contained in Annexure A to the supplementary show cause filed by him, the allegation of contempt committed by him gets completely purged, inasmuch as he has finally realized his limits as with regard to interfering in the decision of the Managing Committee of a minority school. The submission of the learned counsel for the petitioner that the order passed by the District Education Officer is not a legal and valid order cannot be gone into in contempt jurisdiction wherein only compliance of the order passed by this Court has to be examined. If

the petitioner is so aggrieved by the order of the District Education Officer, she will always have the liberty to take appropriate action as is permissible in law. With the aforementioned observation, this application is disposed of. The personal appearance of the District Education Officer, Gopalganj is hereby dispensed with.
(Mihir Kumar Jha,J.) Surendra/

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