

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No.421 of 2018
With
I.A Nos. 270 of 2021, 76 of 2020, 5678 of 2019 & 5679 of 2019

1. The State of Jharkhand
2. The Secretary, Higher and Technical Education Deptt.
Government of Jharkhand, Ranchi.
3. The Director, Primary Education, School Education & Literacy
Development Department, Government of Jharkhand, Ranchi.
4. The District Superintendent of Education,
East Singhbhum, Jamshedpur.

..... ... Appellants

Versus

1. Preetpal Kour
 2. Kamaljeet Kour
 3. Madhu Sharma
- Respondents

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the Appellants : Mr. Piyush Chitresh, A.C. to A.G.
For the Respondents : Mr. Rajiv Lochan, Advocate

Oral Order
22 / Dated 06.09.2021

Mr. Vinod Kumar and Mr. Aditya Kumar Anand, the then Directors, Primary Education, Government of Jharkhand have filed affidavit tendering unqualified and unconditional apology. The same is accepted. However, we are not saying anything regarding contempt petition which is pending before the learned Single Bench. It is contended that the impugned order has been complied. However, at the same time, Mr. Rajiv Lochan, learned counsel for the writ petitioners-respondents has submitted before us that the order has not been fully complied.

In that situation, since the contempt matter is pending before the learned Single Bench, we are not expressing any view as the same is to be considered by the Bench where the contempt matter is pending. We have only accepted the apology so far the question raised and the flaw found in the officers participating in the meeting are concerned.

After some argument, learned counsel for the State seeks leave to withdraw this appeal as they wish to file a review petition before the learned Single Bench.

Learned counsel for the respondents-writ petitioners does not have any objection to that.

This appeal is dismissed as withdrawn with such liberty.

However, if such review is filed before the learned Single Bench, let the same be decided by the concerned Bench on its own merit and in accordance with law.

The personal appearance of the concerned retired Officers are dispensed with.

Let the original records be returned to the concerned.

In view of the above, as we have decided not to proceed against the concerned persons considering their apology and one of them have already retired, the interlocutory application being I.A. No.270 of 2021 filed for initiation of proceeding under Section 340 of the Cr.P.C also stands disposed of as well.

Consequently, the pending interlocutory applications also stand disposed of.

(Dr. Ravi Ranjan, C.J.)

(Sujit Narayan Prasad, J.)