

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 708 of 2012
(Arising out of C.W.J.C. No. 11197 of 2011)

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Dr. Ramchandra Prasad Singh, aged about 66 years, S/o Late Ram Kishun Singh, Retd. Professor & Head of Post Graduate, Department of Economics, Tilka Manjhi Bhagalpur University, Presently Residing At Village- Chhoti Aighu, P.O.- Bari Aighu, P.S.-Begusarai Muffasil, District- Begusarai

.... Petitioner

Versus

1. The State of Bihar
2. Shri Anjani Kumar Singh S/o Not Known To The Petitioner, Principal Secretary, Human Resources Development Department (Higher Education), Government of Bihar, Patna
3. Shri K.N. Dubey S/o Not Known To The Petitioner Vice-Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur
4. Shri Vijay Kumar Singh S/o Not Known To The Petitioner, Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur
5. Shri Santosh Kumar S/o Not Known To The Petitioner, Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh
For the Opp. Party/s : AC to Addl. Advocate General – 2
Mr. Rajendra Kumar Giri

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

8. 21-01-2015 Heard learned counsel for the petitioner, learned A.C. to Addl. Advocate General – 2 as well as learned counsel, who has appeared on behalf of Tilka Manjhi Bhagalpur University (in short “University”).

The present petition was filed with a prayer to initiate contempt proceeding against opposite parties on an allegation of disobedience to an order dated 14-07-2011 passed in C.W.J.C. No. 11197 of 2011. By the said order, the writ petition was allowed to



the extent of revision of pension and merger of 50% Dearness Relief, in terms of order passed in C.W.J.C. No. 3616 of 2010 (Dr. Himanshu Bhushan Vs. T.M. Bhagalpur University, Bhagalpur & Ors.). Regarding other reliefs, the writ petition was disposed of granting liberty to the petitioner to file representation before the Registrar of the University and thereafter, the Registrar of the University was directed to examine the claim and pass appropriate order in accordance with law. Even in case of refusal, the Registrar was required to pass speaking order.

In this case, show cause and supplementary show causes have been filed on behalf of opposite parties and it has categorically been stated that in terms of order of the writ court, the benefit of merger of 50% Dearness Relief as well as different of amount of pension was already granted to the petitioner. Regarding the second part of the order, a speaking order was passed in the year 2012, which has been brought on record, as **Annexure 'A'** to the show cause filed on behalf of opposite party no. 3 & 4.

In view of the facts and circumstances, the Court is satisfied that order of the writ court has already been complied with. However, while disposing of the present petition, it would be appropriate to indicate that if the petitioner feels aggrieved with

the **Annexure ‘A’** to the show cause i.e. speaking order, he would be at liberty to avail appropriate remedy.

The petition stands disposed of.

(Rakesh Kumar, J.)

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