

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1240 of 2013

In

Civil Writ Jurisdiction Case No. 1667 of 2007

Pravin Kumar Choudhary S/O Late Basundhra Choudhary Resident Of Village- Khukhsena, P.S- Bhatotar Chakla, District- Purnea, Residing At Pfor. Colony, Durga Asthan, Katihar, At Present Holding The Post Of Routine Clerk, D.S. College, Katihar.

.... Petitioner/s

Versus

1. Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura, Through Its Registrar Sri Ganesh Prasad.
2. Sri Arun Kumar S/O Vice Chancellor, Bhupendra Narayan Mandal University.
3. Sri Ganesh Prasad S/O The Registrar, Bhupendra Narayan Mandal University, Madhepura.
4. Sri Suresh Yadav S/O The Principal, D.S College, Katihar.
5. Dr. Gautam Prasad Singh S/O Presently Residing At Prof. Colony, Durga Asthan, At Katihar, P.S- Katihar, District- Katihar.
6. The State Of Bihar.

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Dhruva Mukharjee, Adv.

For the University : Mr. Din Bandhu Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

6 12-03-2015

Heard learned counsel for the parties.

I.A. No. 1818 of 2015

2. For the reasons mentioned in this application the prayer made therein for dispensing the personal appearance of Vice Chancellor, B.N. Mandal University is allowed.

3. Having regard to the fact that the learned counsel for the University has filed a supplementary show cause sworn by the Registrar of B.N. Mandal University that the payment of salary

of the petitioner from 24.7.2014 onwards is being made and learned counsel for the respondent informs this Court that such payment of salary of the petitioner has been made for the period up to February, 2015, this Court is no longer inclined to continue with the contempt proceeding because it has also been stated in the show-cause reply that the departmental proceeding has made certain headway and is likely to be concluded soon.

4. In view of the fact that the petitioner continues to get salary till the departmental proceeding is continuing, this Court is not inclined to interfere in the matter. It, however, goes without saying that till the petitioner continues in service and till the departmental proceeding does not result into any adverse order against the petitioner, he would be definitely entitled for payment of his regular salary.

5. With the aforementioned observation, this application is disposed of.

6. The personal appearance of Mr. Kumaresh Prasad Singh, Registrar of B.N. Mandal University is dispensed with.

(Mihir Kumar Jha, J)

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