

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3183 of 2014
Arising out of
M.J.C. Case No. 2179 of 2010 order dated 17.1.2012

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1. Nand Kishore Singh Son of Late Surendra Prasad Singh, Resident of Village-Sundar Bagh Via-Mai Asthan Ram Bagh Road, P.S.-Mithanpura, District-Muzaffarpur and a retired Section Officer, Baba Saheb Bhim Rao Ambedkar, Bihar University, Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Sri Anjani Kumar Singh, Chief Secretary, Government of Bihar, Patna.
2. Sri R.K.Mahajan, the Principal Secretary, Human Resources Department, Government of Bihar, Patna.
3. Sri Rameshwar Singh, the Principal Secretary, Finance Department, Government of Bihar, Patna.
4. Dr. Pandit Palande, the Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
5. Dr. Viveka Nand Shukla, The Registrar, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
6. Mr. Jai Narain Prasad Sinha, the Finance Officer, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
7. Sri Surendra Prasad Singh, son of not known to the petitioner, Ex S.O. and Assistant Registrar, Baba Saheb Bhim Rao Ambedkar, Bihar University, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar, Advocate
For the Respondent/s : Mr. Nasim Yahya, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 13-05-2015

The Petitioner seeks contempt of the officials of the B.R.A. Bihar University on the ground that despite repeated directions of this Court to the University authorities to dispose of the representation of the Petitioner within a stipulated time, they did not do so.

When the Petitioner filed an application for contempt, the University disposed of the representation on 2.2.2015 i.e. almost

about 5 years later.

It is submitted that no doubt now the order of this Court has been complied with, but it not having been done within the period fixed, the University authorities should be sufficiently penalized.

On the other hand, the Counsel for the University submits that the officials did not have any intent to disobey the order of this Court and if at all the representation was disposed of belatedly it was on account of procedural problems.

Having considered the rival submission, I would be inclined to impose cost on the Registrar of the B.R.A. Bihar University for delayed compliance for no apparent cause. Hence he is directed to pay a sum of Rs.5000/- to the Petitioner by way of demand draft within a period of three weeks. The draft shall be sent by the registered post on the address given by the Petitioner in the present application and produced as and when required before this Court as proof of the same.

It goes without saying that the Petitioner will be at liberty to agitate his grievances in a separate writ application on the dismissal of his representation in accordance with law.

The application stands disposed of.

(Anjana Prakash, J)

Narendra/-

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