

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3021 of 2013

In
Civil Writ Jurisdiction Case No. 22901 of 2012

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Ramesh Rai S/O Late Jang Bahadur Rai Resident Of Village- Jitwarpur
Nizamat, P.S.- Samastipur (M), Dist.- Samastipur At Present Secretary Of
The Sant Kabir Mahavidyalaya, Samasitpur

.... Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Mr. Ashok Kr. Sinha,
Govt. Of Bihar, Patna
2. Shri Sudhir Shrivastava Son Of And Address No Knowledge The
Special Secretary, Governor'S Secretariat, Bihar Raj Bhawan, Patna
3. Shri Amarjeet Sinha, The Principal Secretary, Department Of Education,
Govt. Of Bihar, Patna
4. Shri Sanjeevan Sinha Son Of And Address No Knowledge, The Special
Secretary Higher Education, Govt. Of Bihar, Patna
5. Prof. Samrendra Pratap Singh Son Of And Address No Knowledge, The
Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga
6. Dr. Vijay Pd. Singh Son Of And Address No Knowledge, The Registrar,
Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga

.... Respondent/s

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with

Miscellaneous Jurisdiction Case No.3815 of 2013
IN
Civil Writ Jurisdiction Case No. 3894 of 2008

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Vidya Nand Mishra Son Of Shri Kapileshwar Mishra Resident Of Village -
Bela, P.S. Lakhnaur, District - Madhubani

.... Petitioner/s

Versus

1. Mr. Amarjeet Sinha, The State Of Bihar Through The Secretary Of The
Department Of Education, Higher Education, Bihar, Patna
2. Shri Samrendra Pratap Singh, Son Of Not Known, Presently Posted As
Vice - Chancellor, Lalit Narayan Mithila University, Darbhanga

.... Respondent/s

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with

Miscellaneous Jurisdiction Case No.4637 of 2013
IN
Civil Writ Jurisdiction Case No. 10641 of 2009

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Sanjeev Kumar Singh & Ors.

.... Petitioner/s

Versus

Sri Samrendra Pratap Singh & Anr.

.... Respondent/s

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Appearance :

(In MJC No.3021 of 2013)

For the Petitioner/s : Mr. Gajendra Pd. Yadav, Adv

For the Respondent/s : Mr. Kundan Bahadur Singh, SC-22

(In MJC No.3815 of 2013)

For the Petitioner/s : Mr. Baidya Nath Thakur, Adv & Mr.
Shankar Kr Thakur, Adv

For the Respondent/s : Bandana Singh AC to SC 25

(In MJC No.4637 of 2013)

For the Petitioner/s : Mr. Munna Prasad Dixit (M.P. Dixit), Adv

For the Respondent/s : Mr. Vinay Kriti Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

4 03-02-2015

Heard learned counsel for the parties.

It is agreed at the bar that the order of this passed in the connected writ applications has already been complied as has also been explained in the show cause reply filed by the opposites parties. This Court would, accordingly, be inclined to drop the contempt proceeding but then it is made clear that since the order was not complied within the prescribed time limit, this Court would severely warn the Vice Chancellor and the Registrar of the University to remain careful in future because if they are now found to have not complied the order of this Court within the prescribed time limit in any matter that by itself would be sufficient for punishing them despite they may have complied the order of this Court.

Let it be noted that there is no explanation by the

opposite parties as to why they have complied the order of this Court only after filing of the contempt application. This Court cannot countenance the approach of opposite parties of sitting over the matter till notices are issued by this Court in the contempt matter seeking compliance of the order.

This Court must make it clear that the contempt proceeding is not an execution proceeding and in fact even if the opposite parties may have now complied the order, delay caused by them itself constitute contempt. This Court, therefore, having found both Vice Chancellor and Registrar of the University in contempt would only let off them with a warning that if they are found to have adopted similar practice in future, both of them shall be jointly and individually held liable for being punished for disobedience of order of this Court.

Subject to the aforementioned observation, all these applications are disposed of.

The personal appearance of Vice Chancellor and Registrar of the University is dispensed with.

(Mihir Kumar Jha, J)

Ranjan/-

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