

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 5502 of 2013

In

Civil Writ Jurisdiction Case No. 19535 of 2011

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Deo Chandra Pathak S/o Late Anand Pathak Resident of Village Nand
Nagar, P.S. Rosera, District Samastipur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, H.R.D. Department,
Bihar, Patna.
2. Amarjeet Sinha, the Principal Secretary, Human Resource Development
Department, Bihar, Patna.
3. Shailendra Mohan Jha, the Vice Chancellor, L.N.M. University,
Darbhanga.
4. Vijay Prasad Singh, Registrar, L.N. Mithila University, Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar Jha
For the Respondent/s : AC to P.A.A.G.
Mr. Santosh Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

12. 18-02-2015 Heard learned counsel for the petitioner, learned A.C.
to Principal Addl. Advocate General as well as Sri Santosh Kumar
Jha, learned counsel, who appears on behalf of L.N.Mithila
University, Darbhanga (in short “University”).

Learned counsel for the University submits that due to
typographical error in the 2nd supplementary show cause filed on
behalf of University, in paragraph 5(v)(I), in place of “Rs.
3,74,140/-”, it has been typed as “Rs. 33,74,140/-”. He makes a
prayer for permitting him to delete the additional digit i.e. 3 in the
same.

The prayer is allowed.

He may make such correction in course of the day.

The present petition was filed with a prayer to initiate contempt proceeding against opposite parties on an allegation of disobedience to an order dated 11-11-2011 passed in C.W.J.C. No. 19535 of 2011.

In this case, number of show causes have been filed. In the second supplementary show cause, filed on behalf of University, a specific statement has been made in paragraph 5(v)(I) that regarding arrear of salary (UGC difference from 01/06 to 12/08), it was found that a sum of Rs. 3,74,140/- was admissible and Rs. 1,46,629/- (i.e. Rs. 74,784/- + Rs. 71,875/- = Rs. 1,46,629/-) has already been paid in two installments from the grants made available by the State Govt. It has been indicated that remaining amount shall be paid as and when the State Govt. releases the fund. Regarding the amount in respect of arrear pension, out of Rs. 3,59,989/-, Rs. 1,41,215/- was paid to the petitioner towards 40% arrear. It has been stated in paragraph 5(v)(III) that remaining amount i.e. Rs. 2,18,774/- would be paid immediately after allocation of the fund from the State Govt.

In view of the facts and circumstances as well as nature of the order of the writ court, the Court is of the opinion

that there is no need to keep the matter pending.

The petition stands disposed of.

The Court expects that immediately after receipt of fund from the State Govt., the University will make payment of remaining amount to the petitioner forthwith.

(Rakesh Kumar, J.)

Anay/-

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