

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2317 of 2013

In

Civil Writ Jurisdiction Case No. 11087 of 2010

Principal Kailash Prasad Singh, S/O Late Nageshwar Prasad Singh, resident
Of Mini LIC Colony, Chitragupta Nagar, Kankarbagh, Patna- 20.

.... Petitioner.

Versus

1. B.R.A. Bihar University, Muzaffarpur, through its Vice Chancellor.
2. Prof. (Dr.) Kumaresh Prasad Singh, son of not known to the petitioner,
presently the Vice Chancellor B.R.A. Bihar University, Muzaffarpur.
3. Bimal Kumar, son of not known to the petitioner, the then Vice
Chancellor B.R.A. Bihar University, Muzaffarpur.
4. Dr. A. P. Mishra, the Registrar, B.R.A. University, Muzaffarpur.
5. The State of Bihar. Opposite Parties.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

04 13-05-2015

In the writ proceedings, this Court had directed certain arrears to be paid to the writ petitioner which were long over due for a decade and half. It was further directed that if there is a delay in payment then the writ petitioner would be liable to interest. Not deterred, payments were not made. The outcome was University became liable to pay interest as well. When the contempt proceedings were initiated there was no response. Ultimately, when presence of the Vice-Chancellor was ordered a show cause has been filed stating that on 28.04.2015 the principal amount of Rs.1,48,945.00 has been paid through RTGS to the account of the petitioner at the State Bank of India, Kankarbagh Branch, Patna. What is now ridiculous because in respect of an amount of Rs.1,48,945.00, the delayed payment interest at the rate

of 9% works out to Rs.2,16,715.00 which has also been paid to the petitioner.

In the earlier order, this Court noticed as to how deliberate attempts were made to deprive the petitioner of his dues by misdirecting the cheques in purported show of compliance of the order. This Court directed the Vice-Chancellor to take strictest disciplinary action. In the show cause various orders have been appended where the learned Vice-Chancellor has initiated proceedings and taken corrective steps. This Court wishes that he takes it to the logical end at the earliest. While doing so, he has also pointed the persons who were responsible for this inordinate delay by virtue of which the University had to pay interest of Rs.2 lakhs for delayed payment and then fixed the liability and realize them from those persons and reimburse the University in that regards.

With these observations and directions, these proceedings stands terminated.

(Navaniti Prasad Singh, J.)

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