

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4181 of 2014

In

Civil Writ Jurisdiction Case No. 23987 of 2013

=====

1. Brijbhushan Prasad Sinha Son of Late Jagat Prasad Singh Resident of
L/Q-10, Opposite P.G. Hostel-2, B.R.A, Bihar University Campus,
Khabra Road, P.S. - University, P.S. AND Distt. - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri R.K. Mahajan, The Principal Secretary, Education Dept. Govt. of Bihar, Patna.
3. Sri Saiyad Karim, The Director, Higher Education Department, Govt. of Bihar, Patna.
4. Sri Pandit Palande, The Vice-Chancellor, B.R. Ambedkar, Bihar University, Muzaffarpur.
5. Shri Vivekanand Shukla, The Registrar, B.R. Ambedkar, Bihar University, Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Respondent/s : Mr. Manish Kumar, Advocate

For B.R.A. Bihar University: Mr. Santosh Kumar, Advocate

Mr. Mritunjay Kumar, AC to GP-8

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

6 09-12-2015 Heard Mr. Prashant Kumar, learned Counsel, appearing on behalf of the petitioner, and Mr. Santosh Kumar Jha, learned Counsel, appearing on behalf of B.R.A. Bihar University, Muzaffarpur. Heard also Mr. Mrityunjay Kumar, learned Assistant Counsel to Government Pleader No.8, appearing on behalf of the State.

Pursuant to the notice to show cause, respondent No.5 has filed his affidavit annexing order, dated 24.11.2015, as



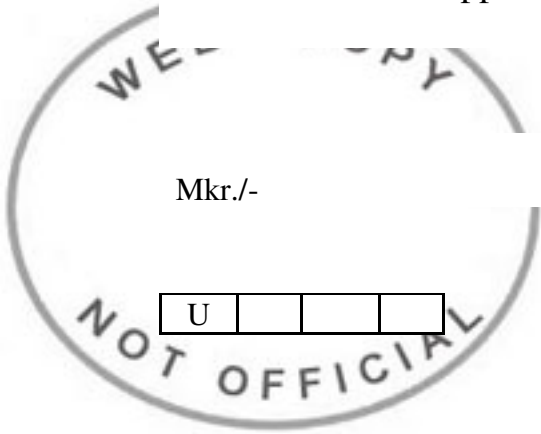
contained in Memo No.Legal/77, issued by respondent No.4, namely, Vice-Chancellor, B.R. Ambedkar, Bihar University, Muzaffarpur, wherein it has been stated that the petitioner has already been promoted to the post of University Professor with effect from 24.02.2001, and, therefore, the benefit of letter No.15P 3-03/2014-1705, dated 01.09.2014, by which cut off date has been fixed as 23.09.1995, would not be available to the petitioner.

By order, dated 04.12.2013, passed in CWJC No.23987 of 2013, liberty was granted to the petitioner that if the petitioner feels aggrieved by the order, which may be passed by the respondents, the petitioner shall remain at liberty to take recourse to appropriate provisions of law.

It, therefore, remained open to the petitioner, if the petitioner so chooses, to put to challenge the order, dated 24.11.2015, which has been passed by respondent No.4. So far as violation of the order, dated 04.12.2013, is concerned, no justifiable reason has been assigned.

Considering the matter in its entirety and in the interest of justice, the present proceeding is closed, making it, however, clear to respondent Nos.4 and 5 that any violation of the Court's order, in future, would expose them to necessary penal consequences for contempt of Court.

With the above observations and directions this application stands disposed of.



(I.A. Ansari, ACJ)