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IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4860 of 2013
In
Civil Writ Jurisdiction Case No. 3197 of 1997

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Ram Narayan Thakur S/O Sri Dukha Thakur Resident Of Village Muradpur, P.S. Nawhatta, District Saharsa, At Present Working As Peon Manohar Hostel, Saharsa College, Saharsa.

.... Petitioner/s

Versus

1. The State Of Bihar Through Sri Amarjeet Sinha, Principal Secretary Through Commissioner Human Resource Development, Govt. Of Bihar, Patna.
2. Sri Binod Singh The Vice Chancellor, Bupendra Narayan Mandal University, Lallo Nagar, Madhepura.
3. Sri Bibeka Nand Bibek The Registrar, Bupendra Narayan Mandal University, Lallo Nagar, Madhepura.
4. Sri Jaleshwar Singh, The Principal, Saharsa College, Saharsa.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Adv
For the Respondent/s : Mr. Shashi Bhushan Kr, Adv
For the B.N. Mandal University: Mr. Neeraj Nandan, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

3 10-02-2015 Heard learned counsel for the parties.

Having regard to the fact that now when the direction given in the connected writ application in the order dated 4.8.2011 is said to have been complied by way of letter of the Joint Secretary, contained in Memo No.191 dated 06.02.2015 (Annexre-A) to the show cause filed by the Director, Higher Education, only after expiry of period of more than three years and that too

after filing of this contempt application this Court must observe that a situation like this should not be allowed to emerge in future where each and every orders passed by this Court are complied by the State Government and the University only after a contempt application is filed and notices are issued against the concerned Opposite Parties directing them to appear in person.

Whatever has infact been explained by learned counsel for the B.N. Mandal University and learned counsel for the State in presence of the Vice Chancellor, B.N. Mandal University and the Director, Higher Education, would not augur well for the proper functioning of the Government and the University because if the orders are passed by this Court giving certain time limit to carry out such direction, they have to be complied within such specified time limit. Here in this case, the services of the petitioner has been sought to be ultimately regularized but only after a period of three and half years but then can he be given back his

mental agony which he had undergone in a period over three and half years only on account of the unexplained delay caused by the authorities despite having an order of this Court in his favour.

Mr. Mishra, learned counsel for the petitioner, would only highlight that the delay on the part of the Opposite Parties in compliance of the order of this Court has remained unexplained. This Court, however, would not like to say anything more because it expects that the Officers of the high rank at least would understand their responsibility as also their duty in complying the orders and direction given by this Court in true spirit and even within the prescribed time limit. For the moment nothing more is required to be observed as this Court in the light of assurance of and unconditioned apology hopes and believes that the opposite parties shall never repeat the same while carrying out the orders of this Court.

With the aforesaid observations, this application is, accordingly, disposed of.

The personal appearance of Dr. Vinod Kumar, Vice Chancellor, B.N. Mandal University and Mr. Syed Md. Karim, Director, Higher Education is also dispensed with.

(Mihir Kumar Jha, J)

Ranjan/-

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