

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3081 of 2014

In

Civil Writ Jurisdiction Case No. 21615 of 2012

=====

Satyendra Chandra Sinha Son of Yugal Kishore Prasad Resident of
Mohalla - Rampur Bikhori Opposite Sevayani Neelam Cinea Road, Police
Station - Kotwali, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Higher Education.
2. Prof. (Dr.) Rama Shankar Dubey, The Vice Chancellor Tilka Manjhi,
Bhagalpur, University, Bhagalpur.
3. Prof. (Dr.) M.G. Mustza, Tilka Manjhi Bhagalpur University, Bhagalpur.
4. Dr. Deoraj Suman, The Principal / Prof. In-Charge Jamalpur, Munger.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Harshwardhan Sahay, Adv

For the Respondent/s : Mr. Ashok Kumar Keshri AAG-11

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

3 15-09-2015 Heard learned counsel for the parties.

Having regard to the fact that pursuant to the
direction given by this Court in the order dated
13.12.2013 passed in connected writ application being
C.W.J.C No. 21615 of 2012, payment of Rs. 7, 66,
029/- has been made to the petitioner, this Court will
not be inclined to now continue with the contempt
proceeding, specially when it had never quantified the
amount of arrears.



The only submission of learned counsel for the petitioner that if such amount was paid to the petitioner, against the claim of Rs. 18, 48, 273/- as also certified by the Principal of the College, the University ought to have atleast made aware the petitioner as to why remaining amount was not paid to him. This Court, however, for the aforementioned non fulfilment of the legitimate expectation of the petitioner cannot initiate proceeding of contempt because it had not directed the Registrar of the University to also pass a reasoned order as with regard to legitimate claim of the petitioner in the event of payment either in full or in part.

Therefore, in keeping with the limited direction given by this Court in the order dated 13.12.2013 in C.W.J.C No. 21615 of 2012, this application on account of payment of Rs. 7, 66, 029/-, must be deemed to have become infructuous. Nothing said in this order will come in the way of the petitioner in approaching the authority of the University for getting the clarification

on the issue of denial of the rest of the amount as was claimed by the petitioner and not paid to him despite its being recommended by the Principal of the College.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

Ranjan/-

U			
---	--	--	--