

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No. 384 of 2014

In

Miscellaneous Jurisdiction Case No. 1998 of 2012

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1. Baidyanath Singh son of Sri Ramchandra Singh Resident of Village - Bhauli Tola, P.S. Yadppur, District - Gopalganj
 2. Rameshwar Singh son of Late Munilal Singh Resident of village - Udanttraika Bango, P.S. Thawe, District - Gopalganj
 3. Hari Prakash Singh son of Sri Badshan Singh resident of village - Gainpatti, P.S. Gopalganj, District - Gopalganj
 4. Rama Kant Tiwary @ Rama Kant Nath Tiwary son of Sri Durga Nath Tiwary Resident of village - Bhojpur, Police Station and District - Gopalganj
 5. Ramesh Pandey son of Sri Dina Pandey Resident of Ward No. 5, Haiapur, District - Gopalganj
 6. Hari Shanker Prasad Singh son of Sri Tarkeshwar Prasad Singh Resident of Village - Dhanha, Police Station - Dhanha, District - West Champaran
 7. Shailendra Kumar Singh son of Sri Jagat Narain Resident of Ward No. 1, Within the Municipality of Gopalganj, P.S. and District - Gopalganj
 8. Aarti Singh daughter of Late Ram Kripalu Singh and wife of Baijnath Singh Resident of village - Bhauli Tola, Police Station - Yadopur, District - Gopalganj
 9. Ashok Kumar Mishra son of Sri Ram Mishra resident of Block More, Ward No. 7, P.S. and District - Gopalganj

.... Petitioners

Versus

1. The State of Bihar, through Sri Rajneesh Kumar Mahajan son of Late Prithvi Raj Mahajan, the Commissioner - Cum - Principal Secretary, Education Department, Bihar, Patna
2. Jai Prakash University, Chapra through its Registrar Anil Kumar son of Late Karan Prasad Sharan
3. Sri Dwijendra Prasad Gupta, son of not Known to the Petitioners, the Vice - Chancellor, Jai Prakash University, Chapra, District - Saran
4. Sri Anil Kumar son of Late Karan Prasad Sharan, the Registrar, Jai Prakash University, Chapra, District - Saran

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr.Adv.
Mr. Arbind Kumar Singh, Adv.

For the Respondent/s : A.C. to Addl. Advocate General – 2
Mr. Anjani Kumar, Sr.Adv.
Mr. Hansraj, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

10. 09-09-2015

Heard Sri Rajendra Prasad Singh, learned senior counsel, who was assisted by Sri Arbind Kumar Singh, learned counsel for petitioners, learned A.C. to Addl. Advocate General – 2 as well as Sri Anjani Kumar, learned senior counsel, who was assisted by Sri Hansraj, learned counsel for J.P. University (for short “University”).

The present petition has been filed under Section 114 & Order 47 Rule 1 of the Code of Civil Procedure, with a prayer to review the order dated 25-09-2014 passed in M.J.C. No. 1998 of 2012. By the said order, this Court, after hearing the parties, was satisfied that order of the writ court was complied with and as such, dropped the contempt proceeding.

By way of filing this review petition, it was submitted by Sri Singh, learned senior counsel for petitioners that on incorrect statement made by the University, the proceeding was dropped. By way of referring to annexures of the writ petition, it was submitted by learned senior counsel for petitioners that the Govt. of Bihar had sanctioned more than three crores for payment of the dues to the petitioners of the contempt proceeding, however, only an amount of **Rs. 2,18,25,725/-** (two crores eighteen lacs twenty five thousand seven hundred & twenty five) has been paid by the University. Accordingly, a prayer has been

made to review the earlier order and restore M.J.C. No. 1998 of 2012 to its original file.

On perusal of the order dated 25-09-2014 passed in M.J.C. No. 1998 of 2012, it is evident that the statement made by learned counsel for the University regarding payment of amount of Rs. 2,18,25,725/- was objected by learned counsel for petitioners and even thereafter, this Court considering the facts & circumstances dropped the proceeding. It is not a case that at the time of hearing of the contempt petition, the point, which is being raised at this stage, was not raised. Since the Court considering all the points had dropped the proceeding, there is no point for modifying the earlier order. At least, the review petition may not be entertained.

The review petition stands dismissed.

If petitioners feel that their grievances have not been redressed, they would be at liberty to avail appropriate remedy.

(Rakesh Kumar, J.)

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