

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.993 of 1998

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Bihar Inter University Board Employees Union and others

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhro Sanyal -Advocate

Mr. S. Cashyap -Advocate

For the Respondent/s : Mr. S. S. P. Yadav-(SC-14)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

10 30-08-2016

None appears on behalf of petitioners.

2. Learned Principal Additional Advocate General appears on behalf of contemners Principal Secretary, Education Department, Government of Bihar, Principal Secretary, Finance Department, Government of Bihar, who are physically present along with supplementary show-cause.

3. It has been submitted on behalf of learned PAAG-1 that at an earlier occasion, there was Bihar Inter University Board and the petitioners were employees thereof. Because of the fact that they were not given their due demand, on account thereof, they had preferred C.W.J.C. No.9672 of 1992 and the same was decided by the order dated 07.08.1997, the order impugned.

4. Because of the fact that at that very moment, there was volatile situation as government was intending to repeal the Bihar Inter University Board Act, on account thereof, the relevant



file moved through different tables thereupon delay had caused but whereupon the Court admitted this petition on 21.03.2001. However, the matter was decided and further, by way of promulgation of Bihar Inter University Repeal Act, 2007, the Board was dissolved and further, all its employees were absorbed and further, identified as a government servant whereupon they availed the emoluments, benefits akin the other government employees. Furthermore, they have also availed the benefit of 5th Pay Commission, 6th Pay Commission. That being so, there happens to be absence of the petitioners on account of having their grievances duly redressed and in likewise manner, it has also been submitted that they have got much more than whatever been allowed by this Court under order impugned.

5. Learned PAAG-1 is fair in his submission that on account of policy going to be taken up at the end of the government at that very relevant juncture, the delay to some extent had appeared which, in the facts and circumstances of the case, is fit to be condoned. Because of the fact that it relates with the policy decision and further, to make it operative, Act was needed which lastly, got its identity in the Year 2007.

6. Accordingly, the supplementary show-cause is accepted. Proceeding is dropped. Further, presence of contemners,

Principal Secretary, Education Department, Govt. of Bihar,
Principal Secretary, Finance Department, Government of Bihar are
dispensed with.

(Aditya Kumar Trivedi, J)

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