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IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1452 of 2003

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Prof. Saket Bihari Singh

.... Petitioner/s

Versus

State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ved Prakash Srivastava
Mr. Mahesh Narayan Parbat

For the Respondent/s : Mr. (SC-3)
Mr. J.N.Singh
Mr. Shivendra Kishore
Mr. Birendra Pd.Verma
Mr. (GA-10)
Mr. Amber Nath Banerji

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

11 08-08-2016 Heard learned counsel for the petitioner as well as learned counsel representing Jai Prakash University.

Learned counsel for the petitioner submits that he has got personal information with regard to death of the petitioner, but unable to substantiate the same as none is in his contact.

Be that as it may, instant petition had already been admitted vide order dated 19.12.2005, on account thereof, death of the petitioner is not going to be hindrance in sailing with the instant contempt petition.

After hearing learned respective counsels, it is apparent that the order impugned happens to be an intermediary event. Because of the fact that the large number of cases were taken together and were decided by a common judgment as reported in ***2006(4) P.L.J.R. 369*** including the present one. Consequent thereupon, the event of order impugned has merged with the final judgment which, as submitted, been confirmed even by the Hon'ble Apex Court.

In the aforesaid background, this petition has become infructous and is accordingly, dropped.

Petitioner as well as opposite parties are expected to do proper exercise in order to trace out whether there happens to be adequate compliance of the direction given by this Court as referred above ***2006(4) P.L.J.R. 369*** and in case, anything due is found, then in that event, the opposite parties in order to prevent the misuse of the Court's time as well as their own prosecution under subsequent M.J.C., will endeavour to specify the same. However, petitioner still feels aggrieved thereby may choose proper legal recourse as available under the law against the final order.

The aforesaid exercise must be completed within four weeks. A copy of this order be handed over to the learned counsel representing J. P. University.

(Aditya Kumar Trivedi, J)

Vikash/-

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