

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4288 of 2012

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1. Ramadhar Singh, S/O Kunwar Singh, employed in Sri Ram Sewak Singh Mahila College, Sitamarhi, P.O And P.S- Dumra, District-Sitamarhi.
 2. Gajendra Kumar, S/O Shankar Prasad, employed in Sri Ram Sewak Singh Mahila College, Sitamarhi, P.O And P.S- Dumra, District-Sitamarhi.

.... Petitioners

Versus

1. The State of Bihar Through Secretary, Human Resources Development, Government of Bihar, Patna namely Sri Amarjeet Singh
2. The Commissioner, Human Resources Development Department, Government of Bihar, Secretariat, Patna Namely Sri Sitaram Singh
3. Director, Higher Education, Govt. Of Bihar At Patna Namely Dr. Bimal Kumar.
4. Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University At Muzaffarpur Namely Sri Bimal Kumar.
5. Registrar, Baba Saheb Bhim Rao Ambedkar Bihar University, At Muzaffarpur Namely Sri A.P. Mishra.
6. Principal, Sri Ram Sewak Singh Mahila College, Sitamarhi, Namely Sri Mamta Singh

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Harshvardhan Shivsundaram

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

12 27-09-2016

This application is filed for non-compliance of order dated 13.01.2012 passed in C.W.J.C. No.673 of 2012. The relevant paragraph of order dated 13.01.2012 is as follows:-

“Petitioners are given liberty to file a formal representation before the Director, Secondary Education as well as Vice-Chancellor of the University for consideration of their cases and for final decision in their respect on the claim for their absorption / regularization in the services of the University, if necessary,

with sanction of posts. If such a representation is filed within four weeks from today, respondents shall consider the same and shall take appropriate final decision in the matter in accordance with law preferably within three months from the date of filing of the representation”.

Learned counsel appearing on behalf of O.P. No. 3 i.e. Director, Higher Education, Government of Bihar at Patna submits that, in fact, in compliance of order dated 13.01.2012 under contempt the representation was not filed by the petitioner before the Respondent No.3 Director, Higher Education, Government of Bihar at Patna within time, as such no question arise about non-compliance of order under contempt. Further submission is that later on a copy of representation was submitted in the office of the Respondent No.3 on 10.02.2015.

In view of the submissions of the parties, the petitioner is directed to file fresh representation before Respondent No.3 within fortnight, which shall be disposed of by the Respondent No.3 in accordance with law within three months. Accordingly, this application is disposed of.

(Rajendra Kumar Mishra, J)

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