

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1974 of 2015

In

Civil Writ Jurisdiction Case No. 19025 of 2010

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Ram Sajan Singh Son of Late Mithu Singh R/o Village + P.O.-Balbandgah,
P.S. Charpokhari, District Bhojpur at Ara

.... Petitioner/s

Versus

1. The State of Bihar Through Mr. R. K. Mahajan, Principal Secretary,
Education Department, Govt. of Bihar, Patna
2. Dr. Azhar Hussain, The vice Chancellor, Veer Kuwar Singh University,
Ara
3. Dr Manoj Kumar, the Registrar, Vice Chancellor, Veer Kuwar Singh
University, Ara

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Respondent/s : Mr. Uma Shankar, G.P. 4
For the University : Mr. Rajesh Prasad Chaudhary

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 18-05-2016 Heard Mr. Sunil Kumar Singh, the counsel for the

petitioner and Mr. Rajesh Prasad Chaudhary, the counsel for the

respondent University.

The application alleges wilful/deliberate disobedience
of the order dated 15.01.2015, passed in C.W.J.C. No. 19025 of
2010. The case was considered on 06.04.2016 when the
following orders was passed:

*Mr. Sunil Kumar Singh for the
petitioner and Mr. Rajesh Prasad
Choudhary for the University.*

*“It is stated by Mr. Choudhary that the
matter was placed before and
considered by the Promotion*



Committee whereafter certain queries have been made. It is not a case where the respondents have willfully/deliberately made any attempt to deny the promotion to the petitioner. The Court directed for passing appropriate/reasoned order on the representation of the petitioner but considering the implication of law, instead of disposing of the representation of the petitioner, the Vice-Chancellor has taken steps in right earnest. He wants to file a supplementary show cause.

List the matter after 05 weeks.”

A supplementary show cause has been filed, placing on record the order dated 07.05.2016, passed by the Vice-Chancellor, Vir Kuwar Singh, Ara, whereby the matter on being considered by the Promotion Committee was found fit to be rejected. In other words, the petitioner claim for promotion from class-IV post to Class-III post was not found permissible in law. The order passed in this regard is Annexure-B.

Considering the order passed in this writ petition and the stand taken by the opposite party of the promotion particularly the disposal of claim/representation of the petitioner by the Vice-Chancellor under order dated 07.05.2016, the Court is unable to find any deliberate disobedience of the order at the hands of the opposite party.

Mr. Singh made some submissions to challenge the

legality of the order. In my considered view, the justification/legality of the order cannot be considered in contempt jurisdiction of the Court. It will open to the petitioner to ventilate his grievance before the appropriate Authority/Forum in accordance with law.

The contempt application is dismissed.

(Kishore Kumar Mandal, J)

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