

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2310 of 2013
In
Civil Writ Jurisdiction Case No. 14750 of 2012

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Dr. Sita Sharan Mishra S/O Late Gajanan Mishra Resident Of Shanti Bagh,
Narkatiaganj, P.S- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The B.R.A. Bihar University, Muzaffarpur Through Its Registrar, Namely Dr. A.P. Mishra.
2. Dr. P.K. Roy, The In- Charge, Vice- Chancellor, B.R.A. Bihar University, Muzaffarpur.
3. Mr. J.N.P. Sinha, The Finance Officer, B.R.A. Bihar University, Muzaffarpur.
4. In Charge, State Government Auditors Team Deputed/ Posted At B.R.A. Bihar University, Muzaffarpur, Namely Mr. A. Singh.
5. The State Of Bihar Through The Principal Secretary, Education Department, Govt. Of Bihar, New Secretariat, Patna Namely Mr. Amarjeet Sinha, I.A.S
6. The Director, Department Of Higher Education, Government Of Bihar, New Secretariat, Patna, Namely Mr. S.R. Singh.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha
For the University : Mr. Dhruva Mukherjee
For the State : Mr. Dhurjati Kumar Prasad, G.P.7

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 14-07-2016 Heard learned counsel for the petitioner and learned
counsels for the opposite parties.

The contempt application has been filed for willful and deliberate violation of the order dated 13.08.2012 of this court passed in C.W.J.C. No.14750 of 2012.

In the show cause filed on behalf of opposite party No.1, it is stated that the post retiral benefits of the petitioner have been

re-calculated and as per the approval granted by the State Audit Team, the amount payable to the petitioner in terms of the order of this court has been paid after making adjustment of excess payment of Rs.1,31,535/-

Learned counsel for the petitioner submits that it is not open to the opposite parties to re-open the pay that was fixed on 01.01.1996. The said issue cannot be looked into under the contempt jurisdiction of this court.

The contempt application is, accordingly, disposed of. However, it shall be open to the petitioner to challenge the action of the opposite parties in re-fixing the pay scale in appropriate proceedings.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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