

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1338 of 1996

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Shail Kumari Jha, daughter of late Dr. Surendra Jha, resident of Machhali Gali,
New Area Jakkanpur Police Station-Jakkanpur, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Mr. S.B. Bhandari, the Chancellor, Lalit Narayan Mithila University,
Darbhanga
3. Mr. Abdul M., Vice Chancellor, Lalit Narayan Mithila University,
Darbhanga
4. Mr. R.K. Mishra, the Principal Maharaja Lakshmeshwar Singh Memorial
College, Lalit Narayan Mithila University, Darbhanga
5. Branch Manager, Bank of Baroda, Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Ajay Bihari Sinha, Adv

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date: 25-08-2017

This is a contempt application pending since 1996.

The complaint made in the contempt application is with regard to non-compliance of an order dated 19.01.1996 passed by this Court in C.W.J.C. No. 3437 of 1994. The petition was filed by the petitioner, a widow whose husband was working as a Lecturer in the respondent University and the grievance was with regard to payment of group insurance amount, pension, gratuity and arrears of salary. The writ petition was taken up for hearing and by the order passed on 19.01.1996, the respondent University was directed to settle the claim after release of the claim is made to the Principal of the college in



question.

The matter is pending since 1996. Series of show cause, counter affidavits, supplementary affidavits have been filed and finally the records indicate as is evident from the show cause filed by the University on 31.08.2016 that the pensionery claims as per the calculation made by the University along with interest at the rate of 5 per cent per annum have been made to the petitioner. Further show cause by way of supplementary affidavit has been filed by the University on 29.11.2016, again indicating making payment of certain amount which according to the University, in the 5 per cent interest per annum on the amount payable as per Rule 20 of the Bihar Pension Rules.

Keeping in view the detailed material that has come on record, it is seen that substantially most of the amount payable have been paid to the petitioner along with interest at the rate of 5 per cent per annum and now in this contempt application, after such a long period of time, no action is required to be taken.

In case, petitioner is aggrieved by the delay in making of the payment and it is her claim that she is entitled for delayed interest or any other further amount, she is granted liberty to claim the same, in accordance with law. Now in the light of compliance reported by the respondent, this Court does not deem it



appropriate to proceed with the contempt after a period of more than 20 years.

The application is, therefore, disposed of with the aforesaid liberty to the petitioner.

(Rajendra Menon, CJ)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31/08/2017
Transmission Date	NA

