

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.382 of 2014

In

Civil Writ Jurisdiction Case No.19391 of 2012

Ashok Kumar Achal, S/o Late Shivdayal Prasad, Resident of Mohalla-
Gandhi Nagar, Ramchandrapur, Biharsharif, P.S- Laheri, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. D.Y. Patil, Chancellor, Universities of Bihar, Raj Bhawan, Patna.
3. Sri Ashok Kumar Sinha, Chief Secretary, Government of Bihar, Patna.
4. Sri Amarjeet Kumar Sinha, Principal Secretary, Higher Education,
Government of Bihar, New Secretariat, Patna.
5. Dr. Nandjee Kumar, Vice- Chancellor, Magadh University, Bodh Gaya.
6. Dr. D.K. Yadav, Registrar, Magadh University, Bodh Gaya.
7. Sri Devesh Kr. Sinha, Finance Officer, Mag. University, Bodh Gaya.
8. Sri Madan Mohan Sharma, Principal, Kisan College, Sohsarai, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rabi Bhushan Prasad No. 1, Advocate
For University	:	Mr. Arabind Nath Pandey, Advocate
For the State	:	A.C. to S.C. 25

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 10-11-2017

An innocuous order was passed by the Writ Court without issuing any direction directing the Registrar, Magadh University to consider the representation of the petitioner with regard to payment of difference of arrears of U.G.C. salary for the period from 07.11.1996 to 17.05.1998 and decide it by a speaking order.

From the show-cause filed by the Magadh University it is seen that vide order Annexure-A dated 06.02.2014 the representation of the petitioner has been



rejected.

Once the representation is rejected for reasons indicated therein, the tenability, illegality or otherwise of the reasons cannot be subject matter of an adjudication or consideration in a contempt proceedings when the order passed was only to consider and take a decision and the respondents having taken a decision, in case the petitioner has any grievance with regard to the decision taken, he should take recourse to the remedy available under law for assailing the order and the decision taken but now in the light of the decision taken, the contempt application need not be proceed with. It is, therefore, disposed with the aforesaid liberty to the petitioner.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.11.2017
Transmission Date	

