

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.67 of 2017

In
Civil Writ Jurisdiction Case No. 11904 of 2011

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Chittranjan Singh, son of Late Haribansh Narayan Singh, resident of Mohalla Pokharia, North Kail Asthan, P.O.+ P.S. Begusarai, District-Begusarai, superannuated teacher , Department of Economics G.D. College, Begusarai

.... Petitioner

Versus

1. The State of Bihar
2. Sri Khalid Mirja, presently posted as Director, Department of Higher Education , Govt. of Bihar, Patna
3. Dr. Saket Kushwaha, presently posted as Vice-Chancellor, L.N.Mithila University, Darbhanga
4. Sri Ajit Kumar Singh, presently posted as Registrar, L.N.Mithila University, Darbhanga
5. Sri Anil Kumar Chaubey, presently posted as Finance Officer, L.N.Mithila University, Darbhanga
6. Dr. Awadhesh Prasad Singh, presently posted as Principal, G.D. College, Begusarai, District-Begusarai.

.... Opp.Parties.

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s : Mr. AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 09-08-2017

Due to non-compliance of the order of the writ court in its letter and spirit, this Court by order dated 19.07.2017 had directed to issue bailable warrant of arrest against the Registrar of L.N.Mithila University, Darbhanga fixing the date for his appearance. In compliance of the said order, the Ex-Registrar of the University, namely, Mr. Mustafa



Kamal Ansari and the present Registrar, namely, Sri Ajit Kumar Singh respectively have appeared after executing bail bond. Besides this, a show cause has been filed on behalf of the Registrar of L.N.Mithila University, wherein it has been indicated that in compliance with the order of the writ court, two cheques amounting to Rs. 3,05,032/- and Rs. 16, 53, 120/- has already been sent to the concerned college for its payment to the petitioner.

Sri Ajay Bihari Sinha, learned counsel for L.N.Mithila University tried to persuade the Court that after retirement as Reader, the petitioner had earlier approached this Court for settlement of his retiral dues and, thereafter, contempt petition was also filed and finally, he received all retiral dues. Thereafter, the petitioner had filed a fresh writ petition for quashing of the order, whereby the petitioner's promotion as Professor was cancelled. He submits that besides the petitioner, several other Professors were reverted to their substantive posts. In sum and substance, Sri Ajay Bihari Sinha, learned counsel for the University wanted to convey that the order of the writ court is not in accordance with law.

The Court is of the opinion that in the contempt proceeding , none of the parties are allowed to make such



submission . However, he requested that at least payment, whatever, has been made to the petitioner may not be directed to be treated as precedence and this benefit may be confined to the petitioner.

Sri Shashi Bhushan Singh, learned counsel for the petitioner wanted time to get instruction. The fact regarding issuance of two cheques was not disputed by learned counsel for the petitioner.

Considering the fact that second part of the order of the writ court has already been complied with, there is no reason to further proceed with the matter. However, keeping in view the above fact, it is necessary to reiterate that the order of the writ court and order passed in the present petition may not be treated as precedence.

The contempt petition stands disposed of.

Since both the aforesaid Registrars are present in the Court and they have already furnished their bail bonds and contempt proceeding has already been dropped, they are discharged from the liability of their bail bonds.

(Rakesh Kumar, J)

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