

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1346 of 2000

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Arbind Kumar Shahi son of Sri Devendra Shahi, village & P.O.-Prataptand, P.S.-
Bhagwanpur, District-Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar, Higher Education Department, Vikash Bhawan, Patna.
2. Sri Vijay Prakash, IAS, Secretary, Higher Education Department, Government of Bihar, Patna.
3. The B. R. Ambedkar, Bihar University, Muzaffarpur.
4. Dr. Satyanarain Sinha, Vice-Chancellor, B.R. Ambedkar, Bihar University, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 23-05-2017

On 15.03.1999, Civil Writ Jurisdiction Case No.11089 of 1997 was disposed of directing the respondents to consider the case of the petitioner in the light of the order passed by a Full Bench of this Court in the case of **Braj Kishore Singh & Ors. Vs. State of Bihar & Ors. [1997 (1) PLJR 509]** and take a decision with regard to regularisation. The respondents have filed a counter affidavit and it is indicated that the claim of the petitioner has been considered and certain action taken.

Now, the petitioner disputes the aforesaid and wants further benefit in the light of the averments made in his rejoinder.



The order passed in the writ petition was only to consider the case and take decision and the respondents having taken a decision, as is evident from the show cause filed, the validity of the decision taken and the illegality or the irregularity of the decision making process cannot be adjudicated in these proceedings. In case, the petitioner feels that the decision taken is not in accordance with law or the decision has been taken only to denying his claim, it gives a fresh cause of action to the petitioner to assail the same in accordance with law, but not a case for proceedings with the contempt and taking action in the contempt proceedings.

Accordingly, the matter stands disposed of with liberty to the petitioner to assail the action of the respondents afresh in case he has any grievance still subsisting.

(Rajendra Menon, CJ)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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