

Miscellaneous Jurisdiction Case No.3208 of 2010

.... Petitioner/s

1. The State of Bihar through Principal Secretary, Human Resources Development, Govt. of Bihar.
2. Shri Anjani Kumar Singh, the Principal Secretary, Human Resources Deptt. Govt. of Bihar, Patna.
3. The Patna University, through its Registrar.
4. Shri Shyamlal, the Vice Chancellor, Patna University, Patna
5. Sri Manoj Kumar, the Registrar, Patna University, Patna
6. Dr. Kashi Nath, the Principal, Science College, Patna
7. Mrs. Prabha Rani, Department of Zoology, Patna Science college.

.... Respondent/s

For the Petitioner/s	:	Mr. Ravish Chandra, Advocate
For the Respondent/s	:	Mr. Abhinay Raj, Advocate
		Mr. V.P. Singh, Advocate
For the State	:	Mr. Anant Prasad Singh, SC-15
		Mr. Sanjay Kumar, AC to SC 15

8 09-03-2017 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the Patna University and learned
counsel appearing on behalf of the Principal, Patna Science
College (Opposite party No. 6).

It appears from the records of the case that the petitioner had been extended an interim order on the basis of an order passed in the writ application which subsequently, came to be set aside in L.P.A. No. 117 of 2010. After the order passed in L.P.A. No. 117 of 2010, a notification was issued by the



University vide Memo No. G/837 dated 28.05.2010 indicating the date of superannuation of different employees of the University including the petitioner. The name of the petitioner finds place at Serial No. 8 (Annexure- 2/A to the contempt application) and his date of superannuation has been mentioned as 31.01.2010. It further appears that the petitioner had been continuing but absenting himself from the college and as such, vide Annexure-2 to the contempt application itself, the petitioner had been directed to handover charge to one Mrs. Prabha Rani in the Department of Zoology, Patna Science College.

It appears that finally the writ application was disposed of by this Court in the year, 2013 in the light of the observations made by the Hon'ble Apex Court in S.L.P. (C) of 18766-18782 of 2010.

Learned counsel for the University has brought on record several documents indicating that Patna University vide notification no. 986 dated 01.02.2012 notified Letter No. 15/D-1-02 /2009-2925 dated 07.12.2011 issued by the Government of Bihar, the age of superannuation of teachers has been enhanced from 62 years to 65 years w.e.f. the cut off date i.e. 30.06.2010 (Annexure-C to the show cause).

In view of the specific stands taken by the University



that the petitioner has no legal status to continue after the date of his superannuation and also supported by opposite party no. 6, Principal of Patna Science College, Patna and after considering the directions of the Apex Court, this Court does not think fit and necessary to proceed further in the matter.

The Contempt application stands dismissed.

(Anjana Mishra, J)

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