

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.479 of 2014

IN

Civil Writ Jurisdiction Case No. 16001 of 2010

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1. Ajay Kumar Singh S/O - Late Sambhu Nath Singh, R/O - Chaturbhuja Thakur Lane, Ganipur, P.O. - Ramna, P.S. - Kazi Mohammadpur, District - Muzaffarpur At Present Working As A Reader In The Dept. Mathematics B.R.A. Bihar University, Muzaffarpur.
 2. Manjari Verma W/O - Sri Rabindra Kumar Verma, R/O - Of Reader Quarter No. -3. B.R.A. Bihar, University Campus, Muzaffarpur, P.O. - Muzaffarpur, P.S. - Kazi Mohammadpur, District - Muzaffarpur At Present Working As A Reader Dept. Of Pol. Science, L.S. College, Muzaffarpur.

.... Petitioner/s

Versus

1. The Ravi Verma, The Vice - Chancellor, The B.R.A. Bihar University.
2. Dr. Vivekanand Shukla, The Registrar Bra, B.U. Muzaffarpur.
3. Mr. Amarjeet Sinha, The Principal Secretary, Hrd Department, Govt. Of Bihar, Patna.
4. The State Of Bihar, Through The Pr. Secretary, Hrd. Deptt. Govt. Of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Raghav Prasad No.-1, Advocate
For the State : Mr. G.P. Ojha, GA-7
For B.R.A. University : Mr. Anup Kumar Chongdhar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 05-07-2017

Inter alia contending that certain directions issued by this Court on 13.8.2013 in C.W.J.C. No.16001 of 2010 and analogous cases has not been complied with, this application has



been filed for initiating action for contempt. The order passed by the learned Writ Court was only to consider the representation of the petitioner and pass speaking order expeditiously within a period of four weeks.

Now from the counter affidavit and the documents filed by the University, it is seen that the University had considered the case of the petitioner for promotion and had taken action in the matter. However, the State Government has issued a Circular on 1.9.2014 vide Annexure A to the show cause whereby the cut off date for grant of time bound promotion has not been extended and it is also reported that the said order passed by the State Government on 1.9.2014 is pending consideration before a Bench of this Court in another writ petition and, therefore, action cannot be taken. From a complete reading of the counter affidavit filed by the respondents, it is clear that the respondents had proposed to take action, but due to various issues in the matter, they are unable to proceed in the matter further.

In view of the aforesaid and considering the fact that the only direction issued in the writ petition was to consider the case of the petitioner and pass a speaking order, in the facts and circumstances that have come on record, this is not a fit case where action for contempt can be initiated.



Accordingly, the proceedings are dropped and liberty is granted to the petitioner to take recourse to such remedy as may be available to him for redressal of his grievances under law.

With the aforesaid liberty, this application is disposed of.

(Rajendra Menon, CJ)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15.7.2017
Transmission Date	N/A

