

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No 2824 of 2013

IN

Civil Writ Jurisdiction Case No 8324 of 2012

- =====
1. Sunil Kumar Singh S/O Sri Laxman Ramat Resident of Village Nawada, P.S. Nawada, District Bhojpur.
 2. Dulari Devi W/O Late Nathuni Ram Resident Of Village Ratnad, P.S. Agion, District Bhojpur.

.... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Sri Amarjeet Sinha, Department of Education, Govt. Of Bihar, Patna
2. The Chancellor Bihar, Patna, Hon'ble Mr D Y Patil
3. Sri Dharmendra Kumar Tiwari, the Vice Chancellor of Veer Kunwar Singh University Ara, Bhojpur.
4. Sri Manoj Kumar the Registrar, Veer Kunwar Singh University, Ara, Bhojpur.
5. Sri Birendra Singh the Principal, Maharaja College, Ara, Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Sheojee Mishra, Advocate

For the S t a t e : Mr Manoj Kumar, AC to GP 4

For the U n i v e r s i t y : Mr Rajesh Prasad Choudhary, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 10-05-2017

The order passed by the Writ Court only directs the University to consider the case of the petitioners in the backdrop of cases of regularization considered with regard to other similarly situated persons and take a decision.

2 Records indicate that the University constituted a Committee. The Committee examined the matter and came to the conclusion that the case of the petitioners cannot be considered for regularization and rejected the same. Once the University has



considered the case and rejected, further scrutiny of the reasons and other grounds for rejecting the claim cannot be undertaken in a proceeding for initiating contempt. The reasons for rejecting the claim may be right or wrong but it has to be enquired into and adjudicated in a proper proceeding and not in a contempt application when the only direction to take a decision with regard to the claim of the petitioners for regularization was passed. This having been done, I am satisfied that it is not a fit case where contempt is to be initiated. The manner in which the claim for regularization has been rejected gives fresh cause of action to adjudicate the matter afresh.

3 With the liberty available to the petitioners, finding that no case of contempt is made out, this application stands disposed of.

(Rajendra Menon, CJ)

M.E.H./-

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CAV DATE	
Uploading Date	
Transmission Date	

