

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Miscellaneous Jurisdiction Case No.2002 of 2013
Arising out of
Civil Writ Jurisdiction Case No. 2902 of 2012**

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Bighnesh Chandra Jha, S/o Late Nilamber Jha, Resident of Mohalla- New Professor Colony, P.S. Town Darbhanga, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through Amarjeet Sinha, Principal Secretary Higher Education Government of Bihar, Patna.
2. Dr. S.P. Singh, the Vice Chancellor of LNM University, Darbhanga.
3. Dr. Vijay Prasad Singh, the Registrar of LNM University, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat, Advocate
For the Respondent/s : Mr. Ajay Behari Sinha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date: 15-03-2017

Heard Mr. Arun Kumar Bhagat, learned counsel appearing on behalf of the petitioner and Mr. Ajay Behari Sinha, learned counsel appearing on behalf of the University.

2. *Inter alia* contending that directions issued by this Court on 17.05.2010 in C.W.J.C. No. 559 of 2010 have not been complied with, this writ application has been filed for initiating action for contempt.



3. While disposing of the writ petition on 17.05.2010 the Bench disposed of the matter directing the University to consider the case of the petitioner in the same line as was done in the case of one Dr. Sri Ram Padamdeo and take a decision.

4. Respondents have brought on record the minutes of the proceedings held and the reasoned order passed by the Vice Chancellor dated 11.01.2014 (Annexure-A). After considering the case of the present petitioner Sri Bighnesh Chandra Jha and evaluating his claim in the light of the benefit granted to Dr. Sri Ram Padamdeo, for the various reasons recorded therein the claim of the petitioner has been rejected.

5. Learned counsel for the petitioner wants to file rejoinder and points out to this Court that consideration has not been made properly while disposing of his case.

6. The only direction issued was to consider the case of the petitioner in the light of the consideration made in the case of Dr. Sri Ram Padamdeo and take a decision. The respondents having taken a decision now the validity of the decision and the reasons given for differing with the case of the petitioner and not allowing him the benefit as granted to Dr. Sri Ram Padamdeo cannot be a subject of adjudication in this contempt application. If the petitioner has any grievance with regard to the manner in which consideration is made



and his claim has been rejected, he is at liberty to agitate the matter in accordance with law but not in a case for initiating action for contempt.

7. Accordingly, having no case for proceeding into the matter, respondents are discharged of the proceedings. Liberty is given to the petitioner to challenge the subsequent action with regard to consideration of this case in accordance with law.

8. The Contempt Petition stands disposed of.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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