

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1384 of 2010

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Vijay Kumar, S/o Late Tarni Prasad Singh, R/o Mohalla- Kashipur, West of Girls High School, Kashipur P.S. & Distt.- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Shri Dhananjay Kumar, Presently Posted as Director, Higher Education, Govt. of Bihar, Patna
3. Smt. Padmasha Jha, Presently posted as Vice-Chancellor, L.N. Mithila University, Darbhanga
4. Sri Vimal Kumar, presently posted as Registrar L.N. Mithila University, Darbhanga
5. Sri Ashok Kumar Karn, Presently posted as Finance Officer, L.N. Mithila University, Darbhanga
6. Smt. Dr. Mina Prasad, Presently posted as Principal Samastipur College, Samastipur

.... Respondent/s

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Appearance :

For the Petitioner :

For the State :

For the University :

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Mr. Anjani Kumar, AAG-4

Mr. Shailendra Kumar Singh, Advocate

Mrs. Archana Palkar Khopde, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL JUDGMENT

Date: 20-02-2017

The writ application filed by the petitioner was decided on 5th of November, 2009 with liberty to the petitioner to submit representation which was to be considered expeditiously within a period of four months so that payment of retiral dues of the father of the petitioner along with statutory interest could be made without delay. Against the said judgment, L.P.A. No. 865 of 2013 (The Vice Chancellor, Lalit Narayan Mithila University, Darbhanga & Ors. Vs. Sachchida nand Verma & Ors.) was preferred which stands dismissed



on 28th of January, 2015.

In the show-cause, the stand of the State is that father of the petitioner changed his original option “B” to Scheme “A” after the cut off date, therefore, the petitioner is not entitled to pension as the same is admissible only before 1st of January, 2006.

Learned counsel for the respondents referred to communicated dated 2nd of April, 2014 whereby, claim of the petitioner for pension has been declined. Thus, the direction to decide the representation stands complied with.

In view of the said fact, I dispose of the present Contempt Petition as infructuous with liberty to the petitioner to challenge the order communicated to the petitioner on 2nd of April, 2014 in accordance with law before an appropriate forum.

(Hemant Gupta, ACJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	22.02.2017
Transmission Date	

