

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4743 of 2014

In
Miscellaneous Jurisdiction Case No. 4118 of 2011

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Dr. Akhilesh Chandra Singh, son of late Chandra Mani Singh, resident of
Behind Ram Krishna Ashram, Bela, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna, namely Mr. R.K. Mahajan, I.A.S.
2. Mr. Rahul Singh, Secretary, Education Department, Govt. of Bihar, Patna.
3. The Lalit Narayan Mithila University, Darbhanga, through its Registrar, namely Mr. A.K. Singh.
4. Mr. S. Kushwaha, the Vice Chancellor, Lalit Narayan Mithila University, Darbhanga.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha, Advocate
For the LNM University : Ms. Archana Palkar Khopde, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

11. 06-11-2018

In view of the statements made in the show cause that the salary arrears of the petitioner, re-designated Demonstrator, for the period from March 1989 to February 2015 in the pay scale of Rs. 5500-9000/- with Grade Pay of Rs. 4200/- have been calculated and a sum of Rs. 12,24,832/- has been paid to the petitioner vide cheque dated 09.03.2018 in favour of the college salary fund account of the petitioner, no further action is required to be taken in the present contempt application.

Mr. Jha, learned counsel representing the petitioner has attempted to take this court through the order



dated 13.11.2013 passed in MJC No. 1788/2011 and other analogous matters to take a view that the petitioner is entitled to get a enhanced pay scale as per the Cabinet decision which has been noticed by the learned Single Judge in the order dated 13.11.2013. While going through the observations of the learned Single Judge in the said order, this court finds that no doubt the learned Single Judge has taken note of the Cabinet decision with respect to the enhanced pay scale in respect of those re-designated Demonstrator who has requisite educational qualifications, there is no categorical directions with regard to the entitlement of the petitioner for such payments to be made to him. This court would, therefore, not stretch the observations and directions of the learned Single Judge in order dated 13.11.2013 to take this contempt proceeding further against the opposite parties.

This court does not find it a case of willful disobedience or disregard to the order passed by the learned Single Judge, hence, this contempt application is dropped and disposed off, accordingly.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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