

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.34 of 2019

In
Miscellaneous Jurisdiction Case No.4422 of 2014

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Mankeshwar Dayal Maldahiyar Son of late Parmeshwar Dayal Maldahiyar,
resident of 201, Satwati Complex, Main Road, Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through R.K. Mahajan, Principal Secretary, Human Resources Development Department, Government of Bihar, Patna
2. Dr. S. Karan, Director Higher Education, Government of Bihar, Patna, presently Dr. Prof. Rekha Kumari.
3. Dr. Prof. Mohammad Ishtiad, Vice Chancellor, Magadh University, Bodh Gaya, presently Sri Qmar Ahsan
4. Dr. D.K. Yadav, Registrar Magadh University, Bodh-Gaya, Presently Colonel Pranav kumar Bihar
5. Dr. Subhash Prasad Sinha, Principal J.D. Womens College, Patna Presently Dr. Sudha Ojha

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhitabh Kumar, Advocate

For the Opposite Party/s : Mr.Arbind Nath Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-06-2019 Let the explanation furnished by learned counsel for the petitioner in his note marked 'A' on the stamp report be accepted. Since rest of the defects have already been removed, let this case proceed.

Heard learned counsel for the petitioner and learned counsel representing the Magadh University, Bodh Gaya.

This application has been preferred seeking review of the order dated 10.10.2018 passed by this Court in M.J.C. No. 4422 of 2014. The order dated 10.10.2018 reads as under :-



“Learned counsel for the Magadh University submits that the payments have already been made in both the cases and the same have been shown in Annexure-A to the show cause filed on behalf of the University.

There is no opposition to his submissions.

In that view of the matter, both the contempt applications are disposed off.”

Learned counsel for the petitioner submits that the contempt application was dropped on the submissions made on behalf of the Magadh University but the fact remains that till date despite the funds having been made available by the Magadh University to J.D. Womens College, Patna, the entire amount has not been disbursed to the petitioner.

Learned counsel for the Magadh University at this stage produced a copy of memo dated 03.04.2019 issued by the Financial Officer, Magadh University, Bodh Gaya addressed to the Principal Incharge, J.D. Womens College, Patna which shows that the University has sent the difference of amount on account of arrear of salary for Rs. 12,22,205/- vide Cheque No. 066015 dated 26.02.2018 to the College and a request has been made to disburse the same.

In the given facts and circumstances of the case, order dated 10.10.2018 passed in M.J.C. No. 4422 of 2014 is modified



to the extent that for the balance payment which the petitioner claims lying with the College, he will make a representation to the Principal Incharge of the J.D. Womens College, Patna with a copy of memo dated 03.04.2019 which has been produced before this Court and shall request for disbursement of the rest of the amount to the petitioner forthwith.

Since, the Magadh University has sent payment to the College for the petitioner, it is expected that the Principal Incharge of J.D. Womens College shall disburse the said amount and/or balance thereof in favour of the petitioner without any delay.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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