

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1415 of 2016

Along with
Interlocutory Application No. 1 of 2019

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Prof. Dr. Madhav Prasad Singh S/o Late Ramanand Singh retired as Reader
Department of Chemistry, Under Lalit Narayan Mithila University,
Darbhanga. resident of Village, P.S., District-
Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vice Chancellor Sri S.P. Singh Lalit Narayan Mithila University,
Darbhanga.
3. The Registrar Sri V.P. Singh, Lalit Narayan Mithila University, Darbhanga.
4. The Finance Officer, Sri R. Pd. Lalit Narayan Mithila University,
Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratan Kumar Kumar, Advocate
For the University : Mr. Md. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

8 10-07-2019 Re.: Interlocutory Application No. 1 of 2019

Heard learned counsel for the petitioner and learned
counsel for the L.N. Mithila University (hereinafter referred to
as the 'University').

2. On 25.06.2019, the Court had recorded the
following orders:

*“Learned counsel for the petitioner is
present. Nobody appears on behalf of the opposite
parties.*

*2. Compliance has to be made by the L.N.
Mithila University (hereinafter referred to as the
'University'). By order dated 24.04.2019, the Court*



had directed for filing of show cause on behalf of the opposite parties and had granted three weeks time for filing show cause. Today, neither show cause has been filed nor anybody appears on behalf of the University.

3. Accordingly, the Court has no option but to impose personal cost of Rs. 5,000/- each on opposite parties no. 2, 3 and 4 for such blatant disobedience and non-cooperation in the present proceeding. The same be deposited in the Juvenile Justice Fund of the State Social Welfare Department and receipt filed when the matter be listed on 12th July, 2019.

4. If on that day, cost is not deposited and affidavit showing compliance of the order of the Court dated 10.05.2005 passed in CWJC No. 16706 of 2004 is not filed, the Court may direct for the personal appearance of the opposite parties no. 2 to 4, besides passing further strict orders against them.

5. Registry shall communicate the order to the opposite parties no. 2, 3 and 4 latest by tomorrow.”

3. Admittedly, before that day, no show cause was filed on behalf of the University despite time having been granted to file show cause. Thus, in such background, personal cost was imposed on the officer(s) concerned.

4. In view of what has been subsequently brought on record on 04.07.2019 with regard to the payments having been made to the petitioner prior to passing of the order dated 25.06.2019, the Court finds that there may be some ground not to impose cost on the opposite parties no. 2 and 4. As far as



opposite party no. 3 is concerned, he, being the Registrar, is responsible for conducting of cases in the High Court. Thus, the order dated 25.06.2019 stands modified to the extent that the personal cost awarded to be paid by the opposite parties no. 2 and 4 stands recalled. However, the opposite party no. 3 is directed to comply with the order latest within one week from today. He shall thereafter file a receipt in the Registry. On failure to do so, the Registry shall place the matter before the Bench for further orders.

5. Interlocutory Application No. 1 of 2019 stands disposed off.

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6. Coming to the merits of the matter, learned counsel for the petitioner submitted that the matter be disposed off with liberty to raise any grievance which may still remain before the authorities of the University.

7. In view thereof, the application stands disposed off with liberty aforesaid.

(Ahsanuddin Amanullah, J)

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