IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2288 of 2018

In

Civil Writ Jurisdiction Case No.17584 of 2016

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Devendra Pathak Sarvodaya College Of Education (B. Ed. College) , At-Dubhai, P.O.-Chand Choura, Gaya through its Secretary, Devendra Kumar Pathak aged about 55 years, Son of Shri Gopal Pathak, Resident of 439, A.P. Colony, P.S.-Rampur, District-Gaya.

... ... Petitioner/s

Versus

1. Magadh University, Bodh Gaya, Through its Registrar namely Pranav Kumar S/o of not Known to the Petitioner
2. The Vice-Chancellor, Magadh University Bodh Gaya Namely Md. Qamer Hasan, Son of not Known to the Petitioner
3. The Registrar Magadh University Bodh Gaya namely Pranav Kumar Son of Not Known to the Petitioner
4. The Inspector of Colleges, Arts and Commerce, Magadh University, Boidh Gaya Namely Birendra Kumar Singh Son of not Known to the Petitioner
5. National Council gor Teacher Education, (A Statutory Boby of the Govt. of India), Hans Bhawan, Wing-II, Bahadur Sah Zafar Marg, New Delhi-110001 through its Member secretary, sanjay Awasthi, Son of not Known to the Petitioner.
6. Sanjay Awasthi Son of not known to the Petitioner, The Member Secretary, National Council for Teacher Education, Hans Bhawan Wing-II, Bahadur Sah Zafar Marg, New Delhi-110001.
7. National Council for Teacher Education, Eastern Regional Committee, (A Statutory Body of the Govt. of India), 15 Neelakantha Nagar, Nayapalli, Bhubaneshwar (Odisha) 751012.
8. Pradeep Kumar Yadav Son of not Known to the petitoner, The Regional Director, National Council for Teacher Education, Eastern Regional Committee, 15 Neelakantha Nagar, Nayapalli, Bhubaneshwar (Odisha) 751012.
9. The State of Bihar, through the Principal Secretary, Education Department , Govt. of Bihar, Patna Namely R.K. Mahajan , Son of not Known to the Petitioner.
10. R.K. Mahajan Son of not Known to the Petitioner, the Principal Secretary, Department of Education, Govt. of BIhar, Patna

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Aashutosh Ranjan Pandey, /AAG-15

For Magadh University : Mr. P.N.Shahi, Sr. Advocate
with Mr. Ritesh Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 01-05-2019 By order dated 17.04.2019, certain functionaries of the Magadh University including its former Vice Chancellor Mr. Qamar Hasan, were directed to be personally present for considering framing of charges against them, for deliberate defiance of this Court's order.

Interlocutory Applications have been filed being I.A,. No. 1 of 2019 and I.A. No. 2 of 2019 on behalf of Professor Mr. Qamar Hasan, Ex-Vice-Chancellor and Mr. Professor K.N. Paswan, the present acting Vice-Chancellor, seeking exemption from their personal appearance on the grounds of their indisposition.

Considering the averments made in the Interlocutory Applications (I.A. No. 1 of 2019 and I.A. No. 2 of 2019), the same stand allowed.

Mr. P.N. Shahi, learned Senior Counsel appearing on behalf of the Opposite party has informed this Court that this Court's order dated 14.11.2017 passed in CWJC No. 17584 of 2016, violation of which has been complained in the present contempt application has since been complied with and the desired no objection certificate has been issued in favour of the petitioner on 26.04.2019.

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Show cause replies have been filed on behalf of the Opposite parties making statement to this effect, which are being taken on record.

Learned counsel appearing on behalf of the petitioner does not dispute this position. It transpires that the University Administration intends to examine the conduct of its officers/employees which might have been the reason for non-implementation of this order within the stipulated time.

This Court leaves the matter of action against its employees on the University Administration, without making comments thereon.

Considering the subsequent conduct of the Opposite parties, since this Court's order dated 14.11.2017 has been implemented, I do not intend to proceed any more with the contempt proceeding.

The contempt proceeding stands dropped accordingly.

(Chakradhari Sharan Singh, J)

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