

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1771 of 2017**

**In**  
**Civil Writ Jurisdiction Case No.12678 of 2015**

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Prof. Md. Sharfudin son of Late Latifur Rahman, retired Associate Professor,  
Head of the Department Urdu, Co-operative College (SBSS College)  
Begusarai, resident of Mohalla - Pokharia, P.S. - Begusarai District -  
Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar, through Mr. R. K. Mahajan, Principal Secretary of  
Human Resources Department, Patna
2. Ram Chandra Tudu, the Director, Higher Education, Govt. of Bihar, Patna.
3. Mr. Dr. Surendra Kumar Singh, the Vice - Chancellor, L.N. M. University,  
Darbhanga, P.S.- Darbhanga, District-Darbhangha,
4. Mr. Ansari, the Registrar, L. N. M. University, Darbhanga, P.S. and District -  
Darbhanga.
5. Mr. K.K. Sahu, the Financial Officer, L. N. M. University, Darbhanga.
6. Mr. Lakshman Jha, Principal, Swargiya Vishwanath Singh Sharma  
(S.B.S.S.) College (old Co-operative College), Begusarai, P.S. & District-  
Begusarai

... .. Opposite Party/s

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**Appearance :**

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|--------------------------|---|------------------------------------|
| For the Petitioner/s     | : | Mr. Dr. Anjani Pd. Singh, Advocate |
| For the State            | : | Mr.Ashutosh Ranjan Pandey - AAG-15 |
| For the LNM University : |   | Ms. Alka Verma, Advocate           |

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

4      10-07-2019                      Heard learned counsel for the petitioner, learned  
counsel for the State and learned counsel for the L.N.Mithila  
University, Darbhanga.

This application under sections 10 and 12 of the  
Contempt of Courts Act read with Article 215 of the  
Constitution of India has been filed by the petitioner for  
initiating a contempt proceeding against the opposite parties for



their wilful laches and deliberate disobedience of the direction passed by this Court in CWJC No.12678 of 2015.

By order dated 24.01.2015 passed in CWJC No.12678 of 2015 the respondents opposite parties were directed to pay the amount of gratuity within two months from the date of receipt/production of a copy of this order.

In the supplementary show cause filed on behalf of opposite party no.4, it has been stated that amount of rupees ten lacs towards gratuity has already been paid to the petitioner. It is also stated that the petitioner's claim regarding payment of leave encashment on the maximum limit of three hundred days computing twelve days per year, the unavailed earned leave of two hundred sixty six days have been found payable, out of which the adjustment of one hundred thirty four days, rupees six lacs fifteen thousand four hundred eighty has earlier been paid and residual for one hundred thirty two days to the tune of rupees six lacs six thousand two hundred ninety four has been paid through treasury.

Referring to the counter affidavit filed on behalf of opposite party no.4, learned counsel for the opposite party no.4 has submitted that since the order passed by this court has fully been complied with, no case for initiation of contempt



proceeding is made out. The petitioner has not filed any rejoinder to the show cause filed on behalf of opposite party no.4.

In that view of the matter, since the order passed by this court has already been complied with, no case for initiation of contempt proceeding against the opposite parties is made out.

The application is dismissed.

**(Ashwani Kumar Singh, J)**

Md. S/-

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