

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4144 of 2018
In
Civil Writ Jurisdiction Case No.181 of 2013

1. Nikhil Kumar Jha Son of Late Raj Kishore Jha,
2. Chitragupta, Son of Late Rameshwar Prasad Verma,
3. Narendra Mandal, Son of Ambika Prasad Mandal,
4. Ramchandra Yadav, Son of Late Prayag Mandal,
5. Dinesh Kumar Shrivastava, Son of Late Gopal Prasad,
6. Niranjana Sharma, Son of Shri Ganesh Sharma,
7. Rajnikant Mishra, Son of Late Ram Narayan Mishra,
8. Md. Gulam Rasul Ansari, Son of Late Md. Alizan,
9. Pawan Kumar Singh, Son of Late Prem Chand Singh,
10. Arvind Kumar Singh-I, Son of Shri Bhawani Prasad Singh,
11. Kailash Mandal, Son of Baldeo Mandal,
12. Nabo Narayan Jha, Son of Sri Baidya Nath Jha,
13. Pranav Kumar Bhattacharya, S/o Late Sri Baidya Nath Bhattacharya,
14. Shambhu Nath Singh, Son of Shri Chandrika Singh,
15. Narendra Kumar Thakur, Son of Late Jib Kant Thakur,
16. Rajesh Kumar, Son of Late Baleshwar Mandal,
17. Ravi Bhushan Prasad, Son of Late Chandra Bhushan Prasad,
18. Vinod Kumar Mehta, Son of Shri Laturan Prasad,
19. Dharmendra Narayan Singh Bihari, S/o Shri Nand Kishore Pd Singh,
20. Arvind Kumar Singh-II, Son of Late Chote Lal Singh,
21. Rama Shankar Singh, Son of Shri Bishwa Nath Singh,
22. Shailesh Dutta Mishra, Son of Late Rajeshwar Dutta Mishra,
23. Bhashkar Pathak, Son of Late Baneshwar Pathak,
24. Md. Tasneem Ahmad, Son of Late H.M. Ilyas Ahmad, All Assistant Class III Employees, Tilka Manjhi Bhagalpur University, Bhagalpur.
25. Dhanraj Sah, Son of Late Kalar Sah,
26. Sahbaz Ali Khan, Son of Late Rahat Ali Khan, Both- Calligrapher Class-III Employees, Tilka Manjhi Bhagalpur University, Bhagalpur.
27. Ram Prakash Yadav, S/o Shri Ganauri Yadav, Assistant, University Deptt. of English, Tilka Manjhi Bhagalpur University, Bhagalpur.
28. Santosh Kumar, S/o Lt. Deo Narayan Lal, Assistant, University Deptt. of Geography, Tilka Manjhi Bhagalpur University, Bhagalpur.
29. Amrendra Kumar Singh, S/o Ganga Dhar Singh, Assistant, University Deptt. of Economics, Tilka Manjhi Bhagalpur University, Bhagalpur.
30. Navin Chandra Jha, S/o Late Bindeshwar Jha, Assistant, University Deptt. of



History, Tilka Manjhi Bhagalpur University, Bhagalpur.

31. Shankar Prasad Mandal, S/o Late Mahavir Prasad Mandal, Assistant, University Deptt. of I.R.P.M., Tilka Manjhi Bhagalpur University, Bhagalpur.
32. Naresh Kumar Sinha, S/o Late Jogendra Prasad, Assistant, University Deptt. of Commerce, Tilka Manjhi Bhagalpur University, Bhagalpur.
33. Suresh Prasad Sudhanshu, S/o Late Dhaulal Prasad, Assistant, University Deptt. of Philosophy, Tilka Manjhi Bhagalpur University, Bhagalpur.
34. Ganga Prasad Singh, S/o Late Madan Mohan Singh, Typist-cum-Stenographer, University Deptt. of Gandhian Thought, Tilka Manjhi Bhagalpur University, Bhagalpur.
35. Binod Kumar Gupta, S/o Late Moti Lal Gupta, Lab Incharge, University Deptt. of Home Science, Tilka Manjhi Bhagalpur University, Bhagalpur.

... .. Petitioner/s

Versus

1. The T. M. Bhagalpur University Bhagalpur, Through Its Registrar Namely Mr. Arun Kumar Singh
2. The Vice Chancellor, T.M. Bhagalpur University, Bhagalpur namely Dr. N.K. Jha.
3. The Pro Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur namely Dr. Ram Yatan Prasad.
4. The Registrar, T.M. Bhagalpur University, Bhagalpur namely Mr. Arun Singh.
5. The Finance Officer, T.M. Bhagalpur University, Bhagalpur namely Mr. H.N. Singh.
6. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, New Secre
7. The Director, Higher Education Department, Govt. of Bihar, Patna namely Mr. Sushil Kumar.

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Purushottam Kumar Jha, Advocate
For T.M.B. University : Mr. Ravi Bhushan Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 22-01-2020 The present contempt application has been filed for
compliance of the order dated 27.11.2017 passed in C.W.J.C.
No.181 of 2013.



The respondents were directed by the Writ Court to consider the case of the writ petitioners in light of the order passed in L.P.A. No.1844 of 2012 and L.P.A. No.1457 of 2001.

A show cause has been filed on behalf of the opposite party No.2. Following statement has been made in paragraph nos.8 and 13 of the show cause.

“8.That it is humbly submitted here that the orders referred in paragraph no.11 & 12 are in the teeth of the laid down by the Full Bench of this Hon’ble Court in the case of Braj Kishore Singh’s reported in 1991(1) PLJR 509 and the law laid down by the Division Bench of this Hon’ble Court reported in 2004(3) PLJR 668 (Annexure-5 to the main contempt application), as such are being strongly denied. It is further submitted here that the Opposite Parties concerned have made false statement in the show-cause under reply that the petitioners have been appointed afresh. A bare perusal of the orders relating the appointment of the petitioners will show that the petitioners have been absorbed in the services of the University. And upon applying the principle laid down in 2004(3) PLJR 668, the petitioners are fully entitled for being extended all due benefits as have been extended to the petitioners of C.W.J.C. No.3272 of 2001 (Rajendra Kanti & Another Vs The Lalit Narayan Mithila University & Others) vide Annexure – 14 & 15 of the main contempt petition



as well to said Jwala Pd. Singh.

13. That it is pertinent to mention here that on 22.07.2019 some of the petitioners of the present case and CWJC No.181 of 2013 met the then In-Charge Vice Chancellor of the T.M. Bhagalpur University, Bhagalpur namely Dr. L.C. Saha and requested the later to do the needful for the redressal of their grievances, upon which Dr. L.C. Saha had informed the said petitioners that he (Dr. Saha) will be passing final orders in the case of the petitioners shortly.”

In compliance of the order of the Writ Court, an order has already been passed, which is Annexure A to the show cause filed on behalf of the opposite party No.2.

Considering the aforesaid facts and circumstances that the order has already been complied with, the present contempt application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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