

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4489 of 2018

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Chandana Jha Daughter of Late Vidya Nand Jha, Resident of Jha Market-
Amla Tola, Police Station-Katihar, District-Katihar.

... .. Petitioner/s

Versus

1. The Chancellor Of The University
2. The B.N. Mandal University, Madhepura, through its Registrar
3. The Vice-Chancellor, B.N.Mandal University, Madhepura.
4. The Registrar, B.N. Mandal University, Madhepura,
5. Lalit Narayan Mithila University, Darbhanga through its Registrar
6. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga.
7. The Registrar, Lalit Narayan Mithila University Darbhanga.
8. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
9. The Director, Higher Education, Department of Education, Govt. of Bihar, Patna.
10. The Deputy Director, Higher Education, Department of Education, Govt. of Bihar, Patna.
11. The Cabinet Vigilance Department, Govt. of Bihar, Patna, through its Principal Secretary.
12. The Principal Secretary, Cabinet Vigilance Department, Govt. of Bihar, Patna.
13. The In Charge Principal, MJM Mahila College, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Chakrapani, Adv. with Mr.Rakesh Kumar Jha, Adv.
For the Hon'ble Chancellor :		Mr.R.K. Giri, Adv.
For the Respondent/s	:	Mr.S.C. Mishra-Sc16
For B.N. Mandal University:		Mr.Ritesh Kumar, Adv.
For L.N.M.U. University	:	Mr.Nadim Seraj, Adv. with Mr.Santosh Kumar Yadav, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 26-07-2022 Heard the parties.

The petitioner by way of this writ petition has prayed

for calling upon the University for producing the Enquiry Report of three member committee constituted on 08.12.2017 and for quashing the show cause notice dated 14.02.2018, whereby the petitioner was asked to file her response on the Enquiry Report. She also prays to direct the respondent not to reopen the issue of date of birth of the petitioner. It stood already settled by the University itself. The petitioner by way of an interlocutory application also challenges the subsequent show cause notice dated 08.06.2018.

Learned counsel for the petitioner during the course of argument also has taken, this Court to the show cause notice on 08.06.2018 and submits that there was no occasion to issue such order directing the petitioner to produce the original matric certificate and original service book after the petitioner had already retired from service.

I have considered the submissions.

The show cause notice issued to the petitioner in the year 2018 and no final decision has been taken on the said show cause. The second letter dated 08.06.2018 also does not cause any prejudice and it appears that an In-House Enquiry is being conducted to see whether the petitioner had become overage and continued to work after she would have otherwise attained

superannuation. As on today, no cause of action arises. It is informed that the petitioner is also receiving her pension as pointed out by the counsel for the University.

Keeping in view, this writ petition is found to be wholly pre-mature and is accordingly dismissed at this stage.

(Sanjeev Prakash Sharma, J)

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Item No. 16

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