

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.892 of 2017

In
Civil Writ Jurisdiction Case No.18733 of 2013

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Dr. Samir Kumar Sharma Son of Shri Shio Sahay Sharma (Now Late)
Associate Professor of English, Bihar National College, Patna, 102, Madhu
Kunj Apartment, Opp, Forest Department, Nehru Nagar, Patliputra , Patna-
800013.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary Namely Sri R. K. Mahajan, Higher Education, New Secretariat, Govt. of Bihar, Patna.
2. Dr. Arun Kumar Sinha, Acting Vice-Chancellor, Patna University, Patna.
3. Dr. G.K. Palei, The Registrar, Patna University, Patna.
4. Dr. Najmuz Zaman, the Deputy Registrar, Patna University, Patna.
5. Dr. Pradip Kumar, Professor, Sociology Department, Patna University, Patna, Presently Working as Research Officer, Institute of Public Administration, Patna University, Patna.
6. Anil kumar Verma, son of late Chamanlal, Resident of C-204, Charminar Apartment, Road No. 12, Rajendra Nagar, Patna- 800016.
7. Prabhakar Jha, Son of late Diwakar Jha, C-101, Charminar Apartment, Road No. 12, Rajendra Nagar, Patna- 800016
8. Ranvir Nandan, Research Officer, B.N. College, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Kumar Kaushik, Advocate
For the Opposite Party/s :	Mr. Priyadarshi Matri Sharan, AC to AAG- 15
For the Patna University :	Mr. Manishdhari Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 22-09-2023 Heard Mr. Kumar Kaushik, learned counsel

representing the petitioner, Mr. Manishdhari Singh, learned

counsel for the Patna University and Mr. Priyadarshi Matri

Sharan, learned counsel for the State.

2. The present application has been filed seeking

initiation of a contempt proceeding against the opposite parties



for the alleged defiance of the judgment/order dated 30.11.2015 passed by a coordinate Bench of this Court in C.W.J.C. No. 18733 of 2013.

3. Mr. Kaushik, while drawing the attention of this Court to paragraph no. 103 of the judgment under contempt, submits that despite specific direction to consider the case of the petitioner for grant of promotion under Career Advancement Scheme, and despite the fact that Refrees have sent their report to the University Selection Committee, the same has not been allowed. The matter was further processed, but again it was rejected on 19.12.2017 and lastly on 29.04.2020. The action of the respondent University was contrary to the intent of the judgment and order, as has been passed by the learned coordinate Bench of this Court. He lastly submits that finally the petitioner has been allowed promotion to the post of Professor w.e.f. 10.02.2021 vide order dated 15.06.2023, ignoring his claim for his due promotion w.e.f. 26.08.2011.

4. On the other hand, learned counsel for the State submits that vide order under contempt, there was only direction for consideration of the case of the petitioner for grant of promotion under the Career Advancement Scheme and the same has been done and the petitioner has been granted promotion



with due date.

5. At this stage, learned counsel for the petitioner submits that the petitioner may be granted liberty to assail the earlier rejection order of his claim for promotion with a prayer for shifting the date of his promotion before competent authority/Court.

6. In view of the submissions put forth by the parties, the present contempt petition stands disposed of with the liberty aforesaid.

(Harish Kumar, J)

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