

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1834 of 2017

In
Civil Writ Jurisdiction Case No.6606 of 2012

=====

Shanti Kumari Sinha W/o Late Prof. Dr. Valmiki Prasad Singh, resident of
Mohalla- Kapasia East, P.O.- Nagdah, P.S.- Town Thana, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Sri Khalid Mirja, presently posted as Director, Department of Higher Education, Govt. of Bihar, Pat
3. Dr. Saket Kushwaha, presently posted as Vice- Chancellor, L.N. Mithila University, Darbhanga.
4. Sri Ajit Kumar Singh, presently posted as Registrar, L.N. Mithila University, Darbhanga.
5. Sri Anil Kumar Chaubey, presently posted as Finance Officer, L.N. Mithila University, Darbhanga.
6. Sri Laxman Jha, presently posted as Principal, Co-operative College, Begusarai, District- Begusarai
7. Dr. Awadhesh Prasad Singh, presently posted as Principal, G.D. College, Begusarai, District- Begusa

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the University	:	MR. Iqbal Asif Niazi, Advocate
For the State	:	Shashi Shekhar Tiwary, AC to AAG-13
For the Respondent/s	:	Mr. Anil Kumar Singh, GP-26
For the Department	:	Smt. Rekha Kumari, Director, Department of Higher Education, Government of Bihar

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

8 02-11-2023 Heard the parties.

2. In deference to the order of this Court dated
06.10.2023, the Director, Department of Higher Education,
Government of Bihar is present in the Court.

3. A supplementary show cause affidavit has been
filed on behalf of the opposite party no. 2 and averment has



been made that in view of the order dated 25.02.2021, passed in C.W.J.C. No. 2106 of 2019, the Additional Chief Secretary, Education Department and Principal Secretary, Finance Department have examined the letter dated 11.10.2010 issued by the Department of Human Resources, Government of India as well as the resolution no. 2374 dated 29.07.2010 of the State Government and they resolved that the teachers of the University and the constituent colleges are not entitled for Dearness Allowance and other allowance i.e. House Rent Allowance, Medical Allowance for the period of 01.01.2006 to 31.03.2010. The minutes of the meeting dated 15.03.2021 has been brought on record by way of Annexure A.

4. While referring to the averments made in the supplementary show cause affidavit, learned counsel for the State drew the attention of this Court to the order under contempt dated 04.12.2015, and with reference thereto he submits that while disposing the writ petition only liberty was granted to the petitioner to file a representation before the University with regard to leave encashment of her late husband, showing that he was entitled to more than what has been paid to him. With regard to group insurance, the university shall ensure that all admitted dues to the petitioner are made within one month. Simi-



larly, liberty was granted, that payment with regard to difference of dearness allowance on account of pay revision for the period of 2006 to 2009 shall also be paid to the petitioner within four weeks.

5. Considering the averments made in the supplementary show-cause affidavit, this Court finds that sufficient cause has been shown on behalf of the opposite parties to give rest to the present contempt proceeding, for present. The show cause affidavit is accepted, however, the petitioner is at liberty to assail the decision of the State Government, denying the claim of the petitioner for arrears of difference of Dearness Allowance and other allowances for the period of 01.01.2006 to 31.06.2010.

6. In view thereof, the present contempt petition stands disposed off.

7. The personal appearance of the Director, Higher Education, Government of Bihar is dispensed with.

(Harish Kumar, J)

supratim/-

U			
---	--	--	--

