

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1382 of 2018

In
Miscellaneous Jurisdiction Case No.2929 of 2011

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1. Heera Pandey Wife of Sri Ashok Kumar Sharma, resident of Mandlok Apartment, Flar, No.4 D, Road, No.2, Rajendra Nagar, Patna.
 2. Dayanand Singh Son of Late Kameshwar Singh resident of Village and P.O. Rampur Dumra, Via Hathidah, P.S. Marachi, District Patna.
 3. Gajendra Deo Sharma, Son of Sri Purushottam Sharma, Advocate, resident of Main Road, Thana More, Danapur Cantt., District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri R.K. Mahajan, the principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
3. Sri Khalid Mirza, The Director, Higher Education, Govt. of Bihar, Patna
4. Magadh University, Bodh Gaya through Sri Qumar Ashan, Registrar, District-gaya.
5. Sri Shailesh Kumar the Vice Chancellor, Magadh University, Bodh gaya, District Gaya.
6. Patliputra University through Colonel Irsad Ali Khan, the Registrar, Patliputra University, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh, Advocate Mr. Shyama Kant Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Vinay Singh, AC to GA-12 Mr. Siddhartha Prasad, Advocate Mr. Sunil Kumar Singh, Advocate Mr. Rana Vikram Singh, Advocate Mr. Samir Kumar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

14 26-06-2023 Heard the parties.

Pursuant to last order dated 20.06.2023, the Registrar,
Magadh University is present.

A show-cause has been filed on his behalf in which in



paras-7, 8 & 9 the following facts have been recorded and the same are incorporated hereinbelow:

“7. That the bill of claims of the petitioners were examined by the Audit team deputed in Pay Verification Cell of the State Govt. who examined, calculated and found admissible amount as under :-

i. Dr. Heera Pandey- Rs. 18,17,574/-

ii. Dr. Gajendra Deo Sharma- Rs. 21,55,557/-

iii. Sri Daya Nand Singh- Rs. 19,78,206/-

Total- Rs. 59,51,337/-

8. That it is pertinent to mention here that the payment of net payable amount against the Gross admissible outstanding dues after deduction of Income Tax at source is as under:-

<i>Petitioner names</i>	<i>Admissible Amount</i>	<i>Tax Deduction</i>	<i>Net Payble</i>
<i>Dr. Heera Pandey</i>	<i>18,17,574/-</i>	<i>5,45,272/-</i>	<i>12,72,302/-</i>
<i>Dr. Gajendra Deo Sharma</i>	<i>21,55,557/-</i>	<i>6,46,00/-</i>	<i>15,08,870/-</i>
<i>Sri Daya Nand Singh</i>	<i>19,78,206/-</i>	<i>5,93,462/-</i>	<i>13,84,744/-</i>
Total	Rs.59,51,337/-	Rs. 17,85,401	Rs. 41,65,936/-

9. That payment of net payable amount Rs. 12,72,302/- is being paid to Dr. Heera Pandey through Cheque No. 057402 dated 24.06.2023, net payable amount Rs. 15,08,890/- is being paid to Dr. Gajendra Deo Sharma through Cheque No. 057401 dated 24.06.2023, net payable amount of Rs. 13,84,744/- to Shri Daya Nand Singh is being paid through Cheque No 057400 dated



24.06.2023 and total amount of Rs. 17,85,401/- deducted for Income Tax payment is being sent to the college vide Cheque No. 057403 dated 24.06.2023 to make payment.

Photocopy of the respective calculations and Cheque No. Cheque No. 057402 and Cheque No. 057401, Cheque No.057400 and Cheque No.057403 are being annexed herewith and marked as R/2 series with this affidavit.”

In furtherance of the statement made in para-8 the account payee cheques dated 24.06.2023 of the Central Bank of India, Bodh Gaya Branch, Gaya having Cheque Nos.057400, 057401 and 057402 have been provided by which amount of Rs.13,84,744/-(Sri Dayanand Singh), Rs.15,08,890/-(Dr. Gajendra Deo Sharma) and Rs.12,72,302/- (Dr. Heera Pandey) are being handed over to the learned counsel for the petitioners (who is accepting the same on behalf of the petitioners) and has signed in token of.

Further in paragraph-5, it has been submitted that the Registrar, Magadh University, Bodh Gaya vide office Letter No.Legal/32/23 dated 24.06.2023 put the erring officials, Dhananjay Thakur, Routine Clerk on notice for his negligence



in compliance of the order passed by this Court. This Court expect that once the contempt petition is disposed of, the said letter will not be consigned to file rather the matter will be taken to its logical conclusion.

Mr. Siddarath Prasad, learned counsel appearing for the Magadh University on instruction from Registrar, Magadh University, Bodh Gaya submits that he undertakes to take the said matter to its logical conclusion.

So far as the TDS deduction is concerned, the opposite party no.4 undertakes to send the certificate of the three petitioners to the college in question.

In view of the aforesaid facts, learned counsel for the petitioner concede that nothing remains.

The contempt petition accordingly stands disposed of.

The presence of the Registrar, Magadh University, Bodh Gaya stands dispensed with.

(Rajiv Roy, J)

Prakash Narayan /-

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