

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.707 of 2019

In

Miscellaneous Jurisdiction Case No.2479 of 2012

Binod Jha S/o Late Chandra Kant Jha Resident Of Mohalla L.N.M.U.
Campus, P.S.- L.N.M.U. Campus, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
2. Mr. R.K. Mahajan, Principal Secretary, Department of Education, Govt. of Bihar, Patna
3. Mr. Surendra Kumar Singh, Vice Chancellor, L.N.M. University, Darbhanga
4. Col. Nisheeth Kumar Rai, The Registrar, L.N.M. University, Darbhanga
5. Mr. Surendra Pratap Singh, Present vice- chancellor of the L.N.Mithila University, Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Hemant Kumar Jha, Advocate
For the State	:	Ms. Abhanjali, Advocate
For the University	:	Mr. Nadim Seraj, Advocate
		Mr. Iqbal Asif Niyazi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

14 12-07-2024 Having gone through the order dated 09.10.2018 passed by this Court in MJC No.11 of 2012 and MJC No.2479 of 2012, this Court finds that because of the observations made therein the petitioner preferred a writ application being CWJC No.11569 of 2021 wherein he inter-alia prayed for a direction to the respondents to release the fund in favour of the petitioner and make payment of his current as well as arrears of salary with effect from the date of regularization of his service i.e. 22.09.1985. In the said writ application, the petitioner made an

additional prayer to quash the memo no. 14/M7-160/14-1099 dated 13.09.2018 and letter no. 14/MU 13-70/19-310 dated 29.07.2019 and thereafter the consequential reliefs.

2. CWJC No.11659 of 2021 has been adjudicated by a learned writ court vide judgment dated 18.03.2024 with the following directions:-

“35. In view of the foregoing discussion, I set aside the order passed in memo no.1099 dated 13.09.2018 issued by the State Government by which the regularization of service of 11 employee including the petitioner on post of Routine Clerk w.e.f. 18.10.2011, issued earlier under memo no.8812-33/18 dated 03.07.18 were cancelled and memo no.C/DR-1/10884-900/19 dated 21.09.2019, issued by the Registrar of the concerned University is hereby quashed.

36. The State Government as well as the University are directed to regularize the service of the petitioner from the date of his initial appointment i.e. 18.02.1985 and also give all consequential benefits to the petitioner within six months from today.”

3. In view of the aforesaid adjudication already made by a learned writ court, this Court is of the considered opinion that this contempt application need not proceed.

4. It goes without saying that now the petitioner has to seek implementation of the judgment of this Court passed in

CWJC No.11569 of 2021 and all remedies available to the petitioner for the said purpose remain open.

5. This contempt application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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