

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.102 of 2020

In

Civil Writ Jurisdiction Case No.13992 of 2019

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1. Sri Ram Chaudhary Son of Late Yadu Nath Chaudhary Resident of Mohalla-Takiya, P.O. Takiya, P.S. Sasaram, District- Rohtas at Sasaram.
 2. Sheo Kumar Choudhary Son of Late Thakuri Choudhary Resident of Village- Banka Bahuara, P.O. Mahila, P.S. Ramgarh, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. Prof. Devi Prasad Tewari Vice Chancellor, Veer Kunwar Singh University, Ara.
2. Col. Shyama Nand Jha Registrar, Veer Kunwar Singh University, Ara.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate
For the Opposite Party/s : Mr. Prabhat Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA

ORAL ORDER

4 11-04-2025 This contempt petition has been filed alleging violation of order dated 12.07.2019 passed in CWJC No. 13992 of 2019, wherein, this Court has passed the following order:-

"Similar issue was decided by this Court vide oral judgment dated 12.04.2018 in C.W.J.C. No. 6381 of 2018. The present writ application involves the similar issue, , this writ application is disposed of in the light of the judgment passed in C.W.J.C. No. 6381 of 2018. Relevant part of the judgment is quoted herein below:

4. Accordingly, the writ application is disposed of with a direction to the University to workout the



entitlement of the petitioner in terms of the absorption of the petitioner pursuant to the direction of the Apex Court in the case of State of Bihar Vs. Bihar Rajya MSESKE Maha Sangh, reported in (2005) 9 SCC 129 and ensure payment of the same within a maximum period of four months from the date of receipt/production of a copy of this order.

5. In case, the respondent University is facing financial constrained in paying dues to the petitioner, liberty shall be available to the University to raise demand from the State Government for allocation of additional fund by enclosing the utilization certificate of the fund earlier received by the University. In case, such request is made by the University, the State is required to provide additional fund for payment of petitioner and similarly circumstanced other teaching and non-teaching staff absorbed in the service of the University in terms of Rule 4 (1) (14) of the Bihar State Universities Act pursuant to the decision of the Mahasangh case (supra).

6. With the aforesaid, the writ application stands disposed of.”

2. Opposite party no. 2 has filed a show cause, wherein, in paragraph Nos. 3 and 4 it has been stated as under:-

“3. That in compliance of order dated 12.07.2019 passed in CWJC No. 13992/19, Veer Kunwar Singh University sent Rs. 3,53,654/ to Shershah College, Sasaram Salary fund A/c Non-teaching by issuing Cheque No. 027691 dated 14.08.2023. Thereafter the Registrar of University sent letter No. A/C/980/Estab/2024 dated 18.05.2024 directing the Principal, Shershah College to make payment to the petitioners and communicate



documentary proof immediately to his office regarding payment.

4. That pursuant to the aforesaid letter dated 18.05.2024, the Principal, Shershah College, Sasaram sent letter No. 1068/24 dated 13.06.2024 enclosing the advice sent to the PNB Sasaram on 20.05.2024 & 12.06.2024 respectively for payment of six non-teaching employees including the petitioners which shows that payment of arrears of salary to the petitioners has been made Rs. 33,154/- was paid to petitioner no.01 and Rs. 2438/- was paid to petitioner No.02.”

3. On perusal of paragraph Nos. 3 and 4 of the show cause filed by the opposite party No. 2, I find that the order dated 12.07.2019 passed in C.W.J.C. No. 13992 of 2019 has been complied with by the respondents.

4. In view of the above, this contempt application stands closed and disposed of.

(Nani Tagia, J)

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