

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1350 of 2020

In
Civil Writ Jurisdiction Case No.19176 of 2017

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Kavita Sahay D/o Late (Dr.) Rajbansh Sahay Resident of Mohalla - Nutan
Nagar, Visar Talab, P.S. - Kotwali, P.O. - Gaya District- Gaya.

... .. Petitioner/s

Versus

1. Magadh University through its Registrar, Sri Vijay Kumar, Bodh Gaya, District- Gaya.
2. Sri Dr. Prof. Rajendra Prasad, The Vice-Chancellor, Magadh University, Bodh Gaya, District- Gaya.
3. Sri Vijay Kumar, The Registrar, Magadh University, Bodh Gaya, District- Gaya.
4. Sri Chandeshwar Prasad Singh, the Finance Officer, Magadh University, Bodh Gaya, District- Gaya.
5. Smt. Dr. Prof. Kamala Upadhyay, The Head of the Department of Sanskrit and Prakrit, Magadh University, Bodh Gaya, District- Gaya.

.. ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ritesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 10-11-2023 Heard Mr. Ajay Kumar Sinha, learned counsel

appearing on behalf of the petitioner and the learned counsel

representing the Magadh University.

2. The present application has been filed seeking
initiation of a contempt proceeding against the opposite parties
for their alleged willful defiance of the order dated 16.02.2018
passed by a Bench of this Court in C.W.J.C. No. 19176 of 2017
whereby the writ petition has been disposed off as follows:-

*“The writ application is disposed of with a
direction to the respondent University to
examine the claim of the petitioner in the light*



of the decision dated 20.07.2016 passed in C.W.J.C. No. 13915 of 2011 and pass reasoned and speaking order within a maximum period of three months from the date of receipt/production of a copy of this order. The respondent authorities will examine the claim of the petitioner objectively and if it is found that the case of the petitioner is covered by the decision of this Court in C.W.J.C. No. 13915 of 2011 dated 20.07.2016, similar benefit should be granted to the petitioner and in the event the same is distinguishable on facts and law, they may examine the case and pass reasoned and speaking order within the time indicated hereinabove.”

Despite the order having been passed on 16.02.2018, till date the order has not been complied.

3. This Court is shocked and surprised to see the reluctant attitude of the authorities of the Magadh University, Bodh Gaya, who was sitting tight over the matter since 16.02.2018 till date, however, on the prayer made by the learned counsel for the Magadh University, as a last indulgence four weeks time is allowed to ensure the compliance of the order of this Court dated 16.02.2018, failing which appropriate order shall be passed against the erring officials.

(Harish Kumar, J)

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