

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3727 of 2019

In
Civil Writ Jurisdiction Case No.14464 of 2014

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Uday Raj S/o Late Janeshwar Singh Resident of Village and P.O. Lari, P.S. Kurtha, District Arwal, the retired Librarian, S.B.A.N. College, Darheta-Lari, P.O. Lari, District Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Deepak Kumar, son of not known to the petitioner, the Chief Secretary, Govt. of Bihar, Patna
2. Sri R. K. Mahajan son of not known to the petitioner, Presently posted as the Principal Secretary, Education Department, Govt. of Bihar, Patna
3. Sri Prof. Dr. Devi Prasad Tiwari son of not known to the petitioner, Presently posted as the Vice Chancellor, Magadh University, Bodh Gaya
4. Sri Jagat Narayan Dara, son of not known to the petitioner Presently posted as Registrar, Magadh University, Bodh Gaya
5. Sri Pyare Mohan Sahay, son of not known to the petitioner Presently posted as the Finance Officer, Magadh University, Bodh Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Vijay Kumar Singh, Advocate
For the Opposite Party/s :	Smt. Shilpa Singh (GA-12)
	Mr. Ram Vinay Pd. Singh, AC to GA-12
	Mr. Ritesh Kumar, Advocate
	Mr. Firoj Raza, Advocate

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

7 16-04-2025 Heard learned counsel for the parties.

2. This contempt petition has been filed alleging violation of the order dated 30.08.2018 passed in C.W.J.C. No. 14464 of 2014, wherein, this Court had passed the following order:

“Referring to para-17 of the writ application counsel for the petitioner has stated that in view of the



aforesaid, the respondent University may be directed to fix the salary of the petitioner as Librarian since 01.04.1974 and accordingly fix and pay other consequential monetary benefits with statutory as well as penal interest. If the petitioner has been paid salary in terms of the order contained in Annexure-2 as Librarian then the present writ application does not merit any consideration but in case the payment has not been made to the petitioner strictly in accordance with Annexure-2 then the payment if not made within a period of three months, the same will carry interest at the rate of 9 per cent from the date of order of this Court (Annexure-2) till the date of actual payment and the interest component shall be made by the officers of the University which will be determined by the Vice-Chancellor of the University.”

3. Opposite Party Nos. 3 to 5 have filed a show cause and two supplementary show causes dated 02.04.2024 and 23.04.2024 respectively.

4. In paragraph nos. 7 & 8 of the supplementary show cause dated 02.04.2024 filed by the O.P. Nos. 3 to 5, it has been stated as under:

“7. That pursuant to the direction of the Hon’ble High Court dated 30.08.2018 in C.W.J.C. No. 14464/2014. The petitioner has



submitted a bill claims duly forwarded by the college in pay scale of Librarian as prescribed by the U.G.C., New Delhi. The University examined the aforesaid bill claim and found admissible amounting to Rs. 21,31,535/- for the period of 01.12.1986 to 31.12.2011. Since the college was taken over by the University with effect from Dec 1986.

8. That the University issued a cheque bearing No. 057172 dated 01.04.2024 amounting to Rs. 21,31,535/- in favour of SBAN College, Darhata-Lari for the payment to the petitioner after proper verification and examination of records.”

5. In paragraph nos. 5 & 6 of the supplementary show cause dated 23.04.2024 filed by the O.P. Nos. 3 to 5, it has been stated as under:

“5. That in earlier supplementary show cause the fact was brought on record that the University issued cheque bearing No. 057172 dated 01.04.2024 amounting to Rs. 21,31,535/- in favour of SBAN College, Delhatalavi for payment of the petitioner.

6. That the principle of SBAN College vide its letter No. 45 dated 09.04.2024 informed the university that college has paid the said amount to the petitioner after deducting the amount of TDS.”



6. From the above, I find that the respondent authorities on finding that the petitioner is entitled to a payment of Rs. 21,31,535/-, the said amount has been paid to the petitioner.

7. In that view of the matter, I am of the view that the order dated 30.08.2018 passed in C.W.J.C. No. 14464 of 2014 has been duly complied with by the respondents.

8. It is, however, provided that if the petitioner is aggrieved by the quantum of money that he has received from the respondent authorities, it shall be open for the petitioner to challenge the said amount of money paid to the petitioner by the respondents pursuant to the order dated 30.08.2018 passed in C.W.J.C. No. 14464 of 2014.

9. Accordingly, this contempt petition is hereby closed and disposed off.

(Nani Tagia, J)

Nilmani/-

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