

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.250 of 2019

In
Civil Writ Jurisdiction Case No.11405 of 2018

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Vidyavachaspati Tripathi Late Devendranth Tripathi R/o Village - Dhawan,
P.O. - Sarema, P.S. - Sahajitpur, District - Saran, presently residing at
Sadhnepuri (Near Rajendra Sarowar), Chapra - 841301.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, R.K. Mahajan Education Department, Govt. of Bihar, Patna
2. Mr. Khalid Mirza The Director Higher Education, Govt. of Bihar, Patna
3. Mr. Harikesh Singh The Vice Chancellor, J.P. University, Chapra
4. Kedar Nath J.P. University, Chapra through its Registrar
5. Sachidanand Roy (MLC) The Secretary, Governing Body Lokmanya Mahavidyalay, Hafizpur Baniyapur, Saran
6. Yogendra Pandey The Principal Lokmanya Mahavidyalay, Hafizpur Baniyapur, Saran

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary, Advocate
	:	Mr. Pragya Sinha, Advocate
For the Opposite Party/s	:	Smt. Shilpa Singh (Ga 12)
	:	Mr. Neetu Jha, AC to GA-12
For the University	:	Mr. Bindhyachal Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

13 09-01-2026 Heard learned counsel for the petitioner, learned
counsel for the Respondent-State and learned counsel for the
Respondent-University.

2. This application has been filed for initiating
contempt proceeding against erring official/opposite party who
are alleged to have been willfully and deliberately not complied
with order dated 09.08.2018 passed in CWJC No. 11405 of



2018.

3. Order dated 09.08.2018 passed in CWJC No. 11405 of 2018 has been brought on record by way of Annexure-1 to the application and the same is reproduced hereinbelow for the needful:-

*"Heard the parties.
Following relief has been
sought for in the present
application on behalf of the
petitioner:*

*1(A) The respondents may kindly
be directed to ensure immediate
payment of
grant/remuneration/salary in
favour of the petitioner for the
period 2011 to 2017.*

*(B) The respondents also may
kindly be directed to extend
statutory/penal interest over the
dues above said admissible on
account of inordinate delay in
making payment of legitimate
dues caused severe humiliation
and harassment to the
petitioner."*

*The petitioner had filed
representation vide Annexure-1
before the respondent no. 4 (The
Registrar, J.P. University,*



Chapra) for redressal of his grievances

Considering the submissions made on behalf of the petitioner, respondent no. 4 (The Registrar, J.P. University, Chapra) is directed to dispose of the representation dated 16.10.2017 and pass a necessary order within a period of three months from the date of receipt/production of copy of this order. If the petitioner is found entitled to the relief sought for, the respondent no. 4 will be under obligation to proceed further in accordance with law. With the aforesaid observation/direction, the present writ application stands disposed of.”

4. From a reading of the aforesaid order, it is clear that the writ court had directed the respondent no. 4 i.e., the Registrar, JP University, Chapra, to dispose of the pending representation of the petitioner dated 16.10.2017 within three months from the date of receipt/production of a copy of this order and it was further observed that if the petitioner is entitled to the relief sought for, the Respondent No. 4 i.e., the Registrar,



JP University, Chapra would be under obligation to proceed further in accordance with law.

5. Learned counsel appearing for Respondent-University submits that in due compliance of the writ's court order, the representation of the petitioner stands disposed of by order dated 19.04.2025 contained in Letter No. 2435 which has been brought on record by way of Annexure-R/9 and through the said order, the claim of the petitioner has not been accepted. He further submits that since the order of the writ court has been complied with, this application has become infructuous and it may accordingly be dismissed/disposed of.

6. Learned counsel for the petitioner while replying to the arguments advanced by the learned counsel for the Respondent-University submits that from a bare perusal of the order dated 19.04.2025 contained in Letter No. 2435 (Annexure-R/9), it is clear that it is a cut and paste order which has been passed in a most reckless manner without understanding the letter and spirit of the order passed by the writ court. He particularly emphasises that in this order, issue of entitlement has not been examined and decided which the Registrar of the JP University, Chapra was under mandate to do so in light of the order passed by the writ court, within the time



stipulated in the said order. After carefully examining the submissions made by rival parties and the affidavits brought on record, I am of the view that since the representation filed by the petitioner has been finally decided/disposed of by order dated 19.04.2025 contained in Letter No. 2435 (Annexure-R/9) and relief claimed by the petitioner has not been granted to the petitioner, that brings a finality so far as compliance of the writ court's order is concerned. If the petitioner is aggrieved by the said order for any reason whatsoever then he is at liberty to challenge the same in accordance with law.

8. In view of the above, the present writ application is disposed of as having become infructuous with liberty granted to the petitioner to challenge the order dated 19.04.2025 contained in Letter No. 2435 (Annexure-R/9).

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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