

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.2152 of 2021**

**In**  
**Civil Writ Jurisdiction Case No.2507 of 2021**

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Dr. Nirbhay Narayan Choudhary Son of Late Bhola Chaudhary Retired University Professor and Head of Department of Physics, L.N. Mithila University, Darbhanga, present resident of Road No.3, 52 Bigha, Laxmisagar, P.S.- L.N.M.U., District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna, namely Sri Sanjay Kumar (I.A.S.).
2. His Excellency Chancellor of Universities of Bihar, Raj Bhawan, Patna, namely Sri Phagu Chouhan.
3. L.N. Mithila University, Darbhanga through its Vice Chancellor, namely Sri S.P. Singh.
4. Mr. S.P. Singh, Son of not known, the Vice Chancellor, L.N. Mithila University, Darbhanga.
5. Dr. Mustaq Ahmad, Son of not known to the petitioner, at present posted as L.N. Mithila University, Darbhanga.
6. Dr. Laxmi Kant Jha Son of Late Gangadhar Jha at present working as Assistant Professor, M.L.S.M. College, Darbhanga, District- Darbhanga.

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr.Pranav Kumar Jha, Advocate  |
| For the Opposite Party/s | : | Mr.Ajay Kumar Rastogi (AAG 10) |
| For LNMU                 | : | Mr. Bindhyachal Rai, Advocate  |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      12-03-2026                      Heard the parties.

2. The present matter has been preferred for :

*“initiation of a contempt  
proceeding against the opposite parties  
for their willful disobedience and non-  
compliance of the order dated 30.06.2021  
passed in C.W.J.C. No. 2507/2021 by*



*Hon'ble Mr. Justice Anil Kumar Upadhyay by which this Hon'ble Court has been pleased to direct the Respondents for calculating the admissible dues of the petitioner and pay the same at the earliest within a period of four months from the date of receipt/production of a copy of this order, but after elapse of more than four months the Respondents/ Opposite Parties have not taken any steps with regard to the grievance of the said order passed by this Hon'ble Court which is willful disobedience of the order passed by this Hon'ble Court, for this the Opposite Parties No.3, 4 and 5 are liable for suitable conviction and sentence.”*

3. The writ petition was permitted to be withdrawn with a direction to pay the admissible dues, a show-cause on behalf of the Opposite Party Nos. 3 to 5 is on record and learned counsel for the LNMU has taken this Court to paragraph 7 which read as follows:

*“That since, the termination of the services of the petitioner was made*



*on the recommendation of the Departmental Committee in which it was mentioned at Point No.-7(ii) that "seeing the long services rendered by him through illegally recovery of pay should be avoided since he has discharged his duties and taught the students." and at Point No.-7(iii)." He may be allowed to receive the amount of Provident Fund Account which was deducted from his salary and should not be entitled for any other retiral benefits since his very appointment/subsequent regularization and promotions are found to be illegal."*

4. The University has taken a decision, the petitioner if so wants can very well agitate the matter, MJC No. 2152 of 2021 is disposed of with the aforesaid observation.

**(Rajiv Roy, J)**

atul/-

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