

Brajesh Kumar Vs. State of Bihar

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Court : Patna

Decided On : May-11-2012

Appellant : Brajesh Kumar

Respondent : State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Miscellaneous Jurisdiction
Case No.1880 of 2007 Brajesh Kumar Versus State Of Bihar
----- 11/ 11.01.2012 The petitioner has prayed for initiation of
contempt against the opposite parties for violation of the order dated 03.07.2003
passed in CWJC No.6178 of 1999 by which this Court had set aside the
notification no.187/CJC dated 01.07.1996 issued by the Registrar, Magadh
University, and also the order dated 03.07.1996, issued by the Principal, ANS
College, Barh, whereby the petitioner was removed from service and directed to
proceed in the matter afresh after giving notice to the petitioner. The petitioner
raised a grievance that despite setting aside of the termination order of the
petitioner and proceeding afresh in the matter nothing has been done. Show
cause had been filed by the University, wherein, it had been submitted that it
repeatedly sought information about the petitioners service from the College
concerned as well as the petitioner and as soon as the petitioner approaches the
Registrar of the University, full hearing would be given to him. The petitioner has
filed a reply to show cause and in paragraph 3 it has been mentioned that he has
sent all the relevant documents through registered post. Thereafter a fresh show
cause was filed on behalf of the University and it was explained that the petitioner

was appointed on Ad hoc basis which was withdrawn by the University which order was earlier quashed by this Court. By letter dated 09.08.2009, the College was asked for details of 2 the petitioner to be placed before the Audit Team, but the College informed that the petitioner was not working either on sanctioned or un-sanctioned post since 1996 nor was there any record to substantiate that he was in service in College and, hence, the petitioners plea was not maintainable. No one appears on behalf of the petitioner today. The stand of the University is that it has taken all pains to examine the case records of the petitioner but on account of non-cooperation of the petitioner his case has not been considered. Put up after two weeks retaining its position as a last chance to the parties to substantiate their respective claims. JA/- (Anjana Prakash,J.)

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