

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cont. Case (Civil) No. 328 of 2020

B. D. Singh @ Brahm Deo Singh **Petitioner**
Versus

The Vinoba Bhave University, Hazaribagh, through Shri Mukul
Narayan Deo and Ors. **Opposite Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Baibhaw Gahlaut, Advocate
For the O.P. Nos. 1 and 2 : Mr. Amresh Kumar, Advocate

Through Video Conferencing

04/11.09.2020

Heard Mr. Baibhaw Gahlaut, learned counsel appearing on behalf of the petitioner.

2. Heard Mr. Amresh Kumar, learned counsel appearing on behalf of the opposite party nos. 1 and 2.

3. The learned counsel for the petitioner submits that although the authorities of Binod Bihari Mahto Koylanchal University, Dhanbad were not party in the writ petition, but in spite of that, the contempt petition would lie against the concerned authorities of the said university who have acted in total disregard to the order passed by this Court. He has also stated that although the decision to appoint Shri Samresh Singh as a member of governing body, who was a party in the writ petition, has been annexed as Annexure -3 to this petition, but he does not have a copy of the minutes of meeting of such decision. He submits that even a third party can be made liable for contempt and for that purpose, he has relied upon a judgement passed by the Hon'ble Supreme Court reported in (2017) 2 SCC 456. He submits that the notice may be issued to opposite party nos. 3 and 4, who are the authorities of Binod Bihari Mahto Koylanchal University, Dhanbad and they may be directed to produce the minutes of meeting of the decision.

4. Learned counsel for the petitioner further submits that the order passed by this Hon'ble Court was placed before the said university namely Binod Bihari Mahto Koylanchal University prior to the decision taken by them, but the same has been ignored.

5. Learned counsel for the opposite party nos. 1 and 2 Mr. Amresh Kumar submits that this aspect of the matter has to be answered by opposite party nos. 3 and 4.

6. Issue notice to the opposite party nos. 3 and 4 under speed post as well as under registered cover with acknowledgement due, for which requisites etc. must be filed within a period of one week from today. Office to track the service of notice through speed post.

7. The opposite party nos. 3 and 4 are directed to place before this Court the minutes of the decision taken which resulted in passing of the order contained in Annexur-3.

8. Put up this case on 09.10.2020 under appropriate heading.

(Anubha Rawat Choudhary, J.)