

ITEM NO.49

COURT NO.3

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CONTEMPT PETITION (CIVIL) Diary No. 45647/2025

[Arising out of impugned final judgment and order dated 08-01-2025  
in CONMT.PET.(C) No. 449/2021 passed by the Supreme Court of India]

SHYAM NARAYAN SINGH

Petitioner(s)

VERSUS

SHASHI PRATAP SHAHI & ANR.

Respondent(s)

(IA No. 6470/2026 - EXEMPTION FROM FILING O.T.)

WITH

Diary No(s). 46647/2025 (XVI)  
(IA No. 2473/2026 - EXTENSION OF TIME)

Diary No(s). 49691/2025 (XVI)  
(IA No. 9212/2026 - EXEMPTION FROM FILING O.T. and IA No. 6343/2026  
- EXEMPTION FROM FILING O.T.)

Diary No(s). 65512/2025 (XVI)  
(IA No. 292965/2025 - EXEMPTION FROM FILING O.T.)

Diary No(s). 58277/2025 (XVI)  
(IA No. 257279/2025 - EXTENSION OF TIME)

Diary No(s). 3757/2026 (XVI)  
(IA No. 20248/2026 - EXEMPTION FROM FILING O.T.)

Diary No(s). 72296/2025 (XVI)

Date : 23-03-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI  
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) :

Mr. Sandeep Kumar, Adv.  
Mr. Anil Kumar Jha, AOR

Mr. Abhishek Kumar Suman, Adv.  
Mr. Devendra Kumar Shukla, AOR  
Ms. Mohini Kumari, Adv.  
Mr. Virendra Kumar, Adv.  
Mr. Dharmendra Kumar, Adv.

Mr. Sanjeev Kumar, AOR  
Mr. Naik H.k., Adv.  
Mr. Ashok Kumar Panigrahi, Adv.  
Mr. Ravin Dubey, Adv.

Mr. Manish Kumar Saran, AOR  
Mr. Sidhant Sharma, Adv.  
Mr. Aditya Mani Saran, Adv.

Mr. Neeraj Shekhar, AOR  
Dr. Sumit Kumar, Adv.  
Mrs. Kshama Sharma, Adv.  
Mr. Ram Bachan Choudhary, Adv.  
Mr. Rajesh Kumar Maurya, Adv.

**For Respondent(s) :**

Ms. Rohini Prasad, AOR  
Ms. Ashika Ranjan, Adv.  
Ms. Samridhi Srivastava, Adv.

Mr. Siddhartha Prasad, Adv.  
Mr. Kumar Luv Lalit, AOR  
Mr. Jitendra Kumar, Adv.

Mr. Sanjeev Kumar, AOR  
Mr. Ashok Kumar Panigrahi, Adv.  
Mr. Ravin Dubey, Adv.  
Mr. Rajnish, Adv.  
Mr. Ajit Singh, Adv.

Mr. Narendra Hooda, Sr. Adv.  
Mr. Samir Ali Khan, AOR  
Mr. Pranjal Sharma, Adv.  
Mr. Samir Ali Khan, AOR

Mr. Azmat Hayat Amanullah, AOR  
Mr. Suraj Kundu, Adv.  
Ms. Ekta Kundu, Adv.

UPON hearing the counsel the Court made the following

**O R D E R**

CONTEMPT PETITION (CIVIL) Diary No. 45647/2025

**Diary No(s). 46647/2025**

**Diary No(s). 49691/2025**

1) Learned senior counsel appearing on behalf of the State Mr. Narendra Hood submits that the State wishes to challenge the recent order passed by the University because they were not heard. In this respect, it is to observe that the dispute is down the line 30 years old. The basic judgment was passed in the matter of *State of Bihar and Ors. v. Bihar Rajya M.S.E.S.K.K.M. and Ors.* (2005) 9 SCC 129. Even a number of petitions filed were pending before this Court which were decided *vide* order dated 08.01.2025 and on some other dates. While deciding those cases, this Court has taken note of interim orders passed during the pendency of those civil appeal and contempt petitions. However, the direction was issued for verification of the work done by the individual employees in the institutions.

2) Since basic direction in the judgment of *Bihar Rajya M.S.E.S.K.K.M.*(supra) was of adjudication by the University, therefore, the University was given the authority to decide the same as contended therein. Liberty was granted to hold a discreet inquiry of affording opportunity to the employees, college concerned and the representative of the State, if required. The paramount consideration before the Court was whether these employees who were absorbed and affiliated to the concerned University have really worked there or not. However, it was the University which has to

verify and decide on the basis of the record received from the individual educational institutions regarding the functioning of those persons, then only they would be entitled to claim the salary for the period on which they have worked and asking the relief.

3) After hearing, at present, the bald statement made by the State counsel that they are going to assail the order of the University, may not be acceptable without any basis. On being asked, the learned senior counsel is permitted to file relevant documents with respect to non working of the individual employees in the respective institution, or to demonstrate that the finding as recorded by the University in the order deciding the claim of the employees is *prima facie* not tenable. After placing the relevant material before us, the prayer to assail the order passed by the University may be availed.

4) Since the litigation is pending from the long period and many of the employees have already attained the age of superannuation and some of them have died, and their LRs are litigating; however, in the interest of justice, we grant four weeks' time to file relevant documents in individual cases, otherwise, the In-Charge of the concerned case shall remain present before this Court. List on 27<sup>th</sup> April, 2026.

**Diary No(s). 65512/2025**

1) Reply be filed within two weeks. List on the same day,

separate from the batch.

**Diary No(s). 72296/2025**

1) Learned counsel for the University submits that on 28.01.2026 on the basis of the report of the eight-member Committee, communication was made to the State Government but those documents are not on record. It be filed within two weeks. The State Government shall clear their stand on the said report.

2) List on the same day, separate from the batch.

**Diary No(s). 58277/2025**

1) The counsel submits that the University has already passed an order, therefore, the question of extension of time to pass order by University does not arise and this application has now rendered infructuous. In view of the statement made by the counsel, we dismiss this Miscellaneous Application as infructuous.

**Diary No. 3757/2026**

1) De-tagged.

2) The University has rejected the representation because it was filed with a delay. In our view, the said stand is not justified. The University to decide the representation of claim now within a period of four weeks supplying a copy to the State Government following the directions as issued and to submit compliance report.

3) List on 27<sup>th</sup> April, 2026.

**(NIDHI AHUJA)**  
**DEPUTY REGISTRAR**

**(NAND KISHOR)**  
**ASSISTANT REGISTRAR**