

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10750 of 2014

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1. Dr. Dinesh Yadav Son of Sri P.Yadav, Reader, Department of Zoology, T.P. College, Madhepura, P.S. + District - Madhepura
 2. Dr. Pankaj Kumar Son of Late N.K.P. Yadav, Reader, Department of Zoology, T.P. College, Madhepura, P.S. + District - Madhepura
 3. Sri Arvind Kumar Son of Late Y.P. Yadav, Reader, Deptt. of Zoology, B.N.M.V. College, Sahugarh, Madhepura, P.S. + District - Madhepura
 4. Dr. Kapildeo Prasad Son of Late J.N. Yadav, Reader, Department of Botany, T.P. College, Madhepura, P.S. + District - Madhepura
 5. Sri Shashi Bhushan S/o Late C.N. Yadav, Reader, Deptt. of Physics, B.N.M.V. College, Sahugarh, Madhepura, P.S. AND District - Madhepura
 6. Dr. Mahendra Kumar Yadav Son of Late Satyanarayan Yadav, Reader, Department of Mathematics, B.N.M.V. College, Sahugarh, Madhepura, P.S. + District - Madhepura
 7. Dr. Harinarayan Yadav Son of Sri Manti Pd. Yadav, Reader, Department of Economics, T.P. College, Madhepura, P.S. + District - Madhepura
 8. Dr. Arjun Yadav Son of Late Moti Lal Yadav, Reader, Department of Psychology, L.N.M.S. College, Birpur, Madhepura, P.S. + District - Madhepura
 9. Sri Rajeshwar Pd. 'Rajesh' Son of Late B.P. Yadav, Reader, Deptt. of Psychology, T.P. College, Madhepura, P.S. AND District - Madhepura
 10. Dr. Gajendra Kumar Son of Late B.P. Yadav, Reader, Department of History, T.P. College, Madhepura, P.S. + District - Madhepura
 11. Sri Lal Bahadur Singh S/o Late Ram Bahadur Singh, Reader, Deptt. of Sociology, G.D. College, Begusarai, P.S. + District - Begusarai
 12. Dr. Radha Kant Das S/o Late S.N. Das, Reader, Department of Philosophy, B.N.M.V. College, Sahugarh, Madhepura, P.S. + District - Madhepura null
 13. Sri Brajendra Prasad S/o Basudeo Prasad Yadav, Reader, Department of Political Science, B.N.M.V. College, Sahugarh, Madhepura, P.S. + District - Madhepura null
 14. Dr. Kishor Kumar Singh Son of Late J.P. Singh, Reader, Department of Maithili, B.N.M.V. College, Sahugarh, Madhepura, P.S. + District - Madhepura
 15. Gulab Chand Yadav Son of Late B.P. Yadav, Reader (Retd. On 31.12.2001), Deptt. of Hindi, B.N.M.V. College, Sahugarh, Madhepura, P.S. + District - Madhepura
 16. Dr. Bhagwat Prasad Yadav Son of Late M.S. Yadav, Reader, Department of Geography, University Department of Geography B.N.M.U. Madhepura, P.S. + District - Madhepura null
 17. Dr. Ganesh Prasad Son of Late H.H. Bhagat, Reader, Department of Geography, University Department B.N.M.U. Madhepura, P.S. + District - Madhepura
 18. Sri Shova Kant Kumar S/o Medini Prasad Yadav, Deptt. of Philosophy, B.N.M.V. College, Sahugarh, Madhepura, P.S. + District - Madhepura

.... Petitioner/s

Versus

1. The B.N.Mandal University, Madhepura, through its Registrar
2. The Vice - Chancellor, B.N.Mandal University, Madhepura
3. The Registrar, B.N.Mandal University, Madhepura
4. The Finance Officer, B.N.Mandal University, Madhepura
5. The State of Bihar, through the Principal Secretary, Education Department,

Government of Bihar, Patna

6. The Special Secretary, Education Department, Govt. of Bihar, Patna

7. The Director, Higher Education Department, Govt. of Bihar, Patna

8. The Pay - Verification Cell, Education Department, Govt. of Bihar, Patna, through its Authorised Officer

9. The Principal, B.N.M.V. College, Sahugarh, Madhepura, P.S. + District - Madhepura

10. The Principal, T.P. College, Madhepura, P.S. + District - Madhepura

11. The Principal, G.D. College, Begusarai, District - Begusarai

12. The Head. University Department of Geography, B.N.M. University, Madhepura, P.S. + District - Madhepura

13. The L.N.Mithila University, Darbhanga, through its Registrar

14. The Vice - Chancellor, L.N.Mithila University, Darbhanga

15. The Registrar, L.N.Mithila University, Darbhanga

16. The Finance Officer, L.N.Mithila University, Darbhanga

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha

For the Respondent/s : Mr. Arvind Ujjwal, SC 25

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 29-01-2015

No order is required to be passed with regard to petitioner nos.11, 15 and 18 in absence of any order having been brought on record of the Pay Verification Cell. They may take appropriate remedial measure, if so advised. Writ application is confined to other petitioners.

After filing of the writ application, three Interlocutory Applications have been filed, which are numbered as IA No.8129 of 2014, IA No.757 of 2015 and IA No.831 of 2015. There are certain mistakes with regard to numbering of the annexures. Annexure- 12 series will be read as Annexure- 13 series of IA No.8129 of 2014, Annexure- 13 series of IA No.757 of 2015 will be read as Annexure-

14 series and Annexure- 14 will be read as Annexure- 15 in IA No.831 of 2015. Petitioners will make the necessary correction in the three Interlocutory Applications.

All these petitioners are aggrieved by a decision taken by the Pay Verification Cell contained in Annexure- 10 series, Annexure- 12 series, Annexure- 13 series, Annexure- 14 series and Annexure- 15, by virtue of which their pay has been reduced and even their date of absorption as such gets altered in some of the cases. This is, according to the petitioners, vulnerable for many a reasons. If nothing else, their case also is covered by a recent decision by the Court in the case of Dr. Kedar Nath Pandey & others v. Magadh University & others, which is CWJC No.7636 of 2014, decided on 15.1.2015. All the impugned orders contained in Annexures 10 series, 13 series, 14 series and 15 are quashed. The respondent authorities will act in accordance with the direction issued by this Court in the case of Dr Kedar Nath Pandey (supra).

Writ is allowed.

(Ajay Kumar Tripathi, J)

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