

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7073 of 2013

Shyama Nand Jha Son Of Late Shiva Shankar Jha Resident Of Mohalla -
Shubhankarpur, P.S. Town And District Darbhanga At Present Posted As Principal,
Upshastri Sanskrit Mahavidyalaya, Pindaruch, District - Darbhanga

.... Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga, Through Its Registrar
2. The Vice - Chancellor, K.S.D. Sanskrit University, Kameshwar Nagar, Darbhanga
3. The Registrar, K.S.D. Sanskrit University, Kameshwar Nagar, Darbhanga
4. The Finance Officer, K.S.D. Sanskrit University, Kameshwar Nagar, Darbhanga
5. The State Of Bihar Through Principal Secretary, Education Department, New Secretariat, Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Durganand Jha, Adv.
For the State : Mr. Kamlesh Kr. Sharma, AC to SC-22
For the University : Mr. Awadhesh Prasad Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 18-07-2016

Heard learned counsel for the parties.

In the present case, the college, in question, is a Sanskrit College of the level of Upshastri which is equivalent to the Intermediate College.

Learned counsel for the petitioner has asserted that the employees of Upshastri College are entitled to the salary in terms of 6th Pay Revision Commission Report. The matter was pending before the State Government for consideration and its approval. In paragraph no.5 of the 2nd supplementary counter affidavit filed today, it has been



stated that the Finance Department has granted approval for payment of salary in terms of 6th Pay Revision Commission Report with effect from 1.1.2006 to the employees of the Upshastri College and, thereafter, the matter was placed before the State Cabinet which, in its meeting dated 12.7.2016, granted approval for implementation of the 6th Pay Revision Committee Report. It will be relevant to quote paragraph no.5 of the 2nd supplementary counter affidavit filed by the respondent no.5, which reads as follows:-

"5. That in this connection it is humbly stated that the Finance Department has granted its approval for grant of sixth pay revision w.e.f. 01.01.2006 to the employees of Upshastri Colleges. After approval of the Finance Department a 'Sanlekh' was prepared in the Education Department and the same is sent to the State Cabinet for its approval. The State Cabinet in its meeting on 12.07.2016 has granted its approval for implementation of sixth pay revision w.e.f. 01.01.2006 to the employees of Upshastri colleges under the Kameshwar Singh Darbhanga Sanskrit University, Darbhanga."

In that view of the matter, when the Government has already taken a policy decision for granting benefit of 6th Pay Revision Committee Report, the consequential action of the State Government will be releasing grant for payment of arrear of salary to its employees.

This Court hopes and believes that the further

consequential action will be taken by the Finance Department and the respondent no.5, the Principal Secretary, Education Department will take follow up action without unnecessary delay preferably within a period of thirty days from the date of receipt/production of a copy of this order.

With the aforementioned observation, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.7.2016
Transmission Date	NA