

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.839 of 2012

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1. Syed Alay Athar Son Of Late Alay Hyder Resident Of B-Type Quarter,
Professors' Colony, District-Muzaffarpur

.... Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary, Human Resources
Development Department, Bihar, Patna
2. Secretary, Human Resources Development Department, Bihar, Patna
3. Secretary, Finance Department, Bihar, Patna
4. B.R. Ambedkar Bihar University, Muzaffarpur Through Its Registrar
5. Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur
6. Registrar, B.R. Ambedkar Bihar University, Muzaffarpur
7. Finance Officer, B.R. Ambedkar Bihar University, Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava

For the Respondent/s : Mr. V.M.K Sinha Aag13

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-09-2017 In the present writ application, the petitioner has sought
for the following reliefs-

1. For issuance of a direction, order or writ
including writ in the nature of Mandamus
commanding the concerned authorities
under the State Govt. and as also, the B.R.
Ambedkar Bihar University, Muzaffarpur
(hereinafter referred to as “the
University”) to take steps towards
removing the anomalies in the pay
fixation of the petitioner, in accordance
with the decision of the State Govt. in its



Finance Department with respect to the pay-scale admissible to the post of Press Superintendent that has been prescribed as Rs. 10,000-15200/- w.e.f. 01.01.1996 whereas the petitioner, who is holding the post of Press Superintendent in the services of the University, has been extended the benefits of pay-fixation in the pay-scale of the Rs.6500-10,500/- w.e.f. 01.01.1996, which is high arbitrary, unreasonable and in blatant violation of Article 14 of the Constitution of India.

2. Issuance of a direction, order or writ including writ in the nature of Mandamus commanding the concerned authorities under the State Government as well as the University to take steps towards pay fixation of the petitioner in the pay scale admissible to the Press Superintendent pursuant to the decision of the Finance Department of the State Government according to which a person working against the post of Press Superintendent in



the services of the University would also be entitled to the same pay scale as is admissible to a person working against the post of Press Superintendent in the services of the State Government and as such the same had been fixed in the pay scale of Rs. 10,000-15,200/- with effect from 01.01.1996 and consequent upon such fixation of the salary of the petitioner further steps be taken towards extending the benefits of pay fixation in the pay scale of Rs. 15,600-39,100 with effect from 01.01.2006, which is the replacement scale for the existing pay scale of Rs. 10,000-15,200 under the revised pay scale implemented with effect from 01.01.1996.

3. Issuance of a declaration holding that in terms of the decision of the Finance Department of the State Government the petitioner is entitled to the pay scale of Rs. 10,000-15,200 with effect from 01.01.1996 and similarly is also entitled



for fixation of his salary in the scale of Rs. 15,600-39,100 with effect from 01.01.2006 on account of the fact that the petitioner is holding the post of Press Superintendent in the services of the University and also had the requisite qualification in this respect.

Considering the submissions made on behalf of the parties, and the reliefs sought for, in the present writ application, the petitioner is directed to make a representation before the Respondent no.5 i.e. The Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur, within a period of 60 days from the date of this order. The Vice Chancellor shall consider the representation of the petitioner and pass a reasoned order, in accordance with law, within a period of five months, from the date of filing of such representation.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

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