

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19335 of 2014

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1. Moti Singh Son of Late Ganesh Prasad Singh Resident of Mohalla - Milanpalli,
P.S. - Kishanganj, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. B.N. Mandal University, Madhepura through its Registrar.
3. Vice Chancellor, B.N. Mandal University, Madhepura.
4. Registrar, B.N. Mandal University, Madhepura.
5. Principal, Marwari College, Kishanganj.

.... Respondent/s

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Appearance :

For the Petitioner/s	: Mr. Abhinav Srivastava, Advocate
For the Respondent/s	: Mr. Nadim Seraj
	Ms. Shalini, A.C. to G.P-5
For the BNMU	: Mr. Ritesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 14-08-2018

The grievance of the present writ petitioner is non-payment of the appropriate salary on the pretext that pendency of pay verification as a whole.

The issue with regard to the authority of the auditor and others State agency has been decided in different cases. This court has held out that the scheme of the Act, there is statutory Committee for pay verification in the University and no outside agency has any role to play in the matter of pay verification and pay fixation. The action of the respondent in denying the appropriate admissible to the petitioner on the ground of pendency of pay verification is



unsustainable. The University and its authorities is hereby directed to ensure payment of the salary which is admissible to the petitioner within a maximum period of three months from the date of receipt/production of copy of this order. The Court cannot approve the unauthorized action of the respondent Principal of the college denying the appropriate admissible dues to the petitioner in the name of the verification.

This writ petition involving old matter is pending for the last merely four years. On the aforesaid circumstance, this writ petition is disposed of with a direction to the University for payment of appropriate scale admissible to the petitioner which must be taken by the respondent including the arrears and current salary within a maximum period as indicated hereinabove. It goes without saying in case the difference of arrears are not paid within the time framed indicated above, the entire arrears will carry interest @ 9% from the date of accrual to the date of actual payment and the interest component shall be paid by the erring officials of the university to be identified by the vice-Chancellor of the University.

(Anil Kumar Upadhyay, J)

Sanjeev/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

