

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 8724 of 2018

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Raj Kumar Sharma, Son of Ram Sagar Sharma, Resident of Village- Katahara,
Ward No. 2, Police Station- Forbesganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Vice- Chancellor, Bhupendra Narayan Mandal University, Madhepura (Bihar).
4. The Registrar, Bhupendra Narayan Mandal University, Madhepura (Bihar).
5. The Finance Officer, Bhupendra Narayan Mandal University, Madhepura (Bihar).
6. The Finance Advisor, Bhupendra Narayan Mandal University, Madhepura (Bihar).
7. The Principal, Forbesganj College, Forbesganj, District- Araria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vasudeo Ram, Advocate
For the State : Mr. Kameshwar Kumar, G.P. 17
For the University : Mr. Sasi Bhushan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-09-2018

Heard learned counsel for the petitioner; State and B.N.

Mandal University (hereinafter referred to as the 'University').

2. From the pleadings it appears that the admitted retiral dues have been paid to the petitioner which has now resulted in some controversy inasmuch as, as per the original pay fixation by the University, the payments were made, which the State Pay Verification Cell has found to be excess by almost Rs. 66,000/- as a lower scale has been held to be admissible to the petitioner.

3. In view of the fact that the matter now relates to



fixation of salary which is not the roster of this Bench and also the same being a fresh cause of action, learned counsel for the petitioner submitted that the matter be disposed off with liberty to represent before the University explaining as to why the pay fixed by the University is correct and the pay fixed by the State Pay Verification Cell is erroneous.

4. In view thereof, the writ petition stands disposed off with liberty to the petitioner to file a detailed representation before the Registrar of the University in the matter. If such a representation is filed within four weeks from today, the Registrar shall look into the matter and get the same verified from the records and pass a reasoned order thereupon. Before doing so, he shall take the opinion of the Pay Verification Cell of the University. However, the reasoned order shall be passed, in accordance with law, within two months from the date of filing of the representation. Depending on the order passed, the party aggrieved shall be at liberty to move before the appropriate forum, in accordance with law.

(Ahsanuddin Amanullah, J.)

P. Kumar

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