

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7638 of 2020

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Ranjit Kumar S/o Late Ashok Kumar Resident of C/o Thakur Prasad at Mohalla Purani Kankarbagh, Gate No. 16 Near College of Commerce, Patna, P.S.-Patrakar Nager, District-Patna 20, at Presently Posted as Clerk, in Nalanda Mahila College, Bihar Sharif,, Nalanda.

... .. Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Vice Chancellor, Patliputra University, Patna.
4. The Finance Officer, Patliputra University, Patna.
5. The Registrar, Patliputra University, Patna.
6. The Principal, Nalanda Mahila College, Bihar Sharif, Nalanda.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Anil Kumar No.1
For the Respondent State: Ms. Shilpa Singh, G.A.-2
For the Respondent Magadh University : Mr. Ritesh Kumar
For the Respondent P.P. University : Dr. Anand Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

15 04-09-2021 This matter has been taken up for hearing on-line because of COVID-19 Pandemic restrictions.

2. Heard learned counsel for the parties.

3. The petitioner is working as a Lower Division Clerk in Nalanda Mahila College, Bihar Sharif, which is a constituent unit of Patliputra University. He has approached this Court seeking direction to the University to pay arrears of difference of salary in terms of recommendation of 7th Pay Revision Committee, which has been accepted by the State Government with effect from 01.01.2016 with the condition that



monetary benefits shall be admissible from 01.04.2017.

4. A supplementary counter affidavit has been filed on behalf of the University stating therein that said arrears of salary has been paid to the petitioner after pay verification done by the Pay Verification Cell of the Education Department, Government of Bihar.

5. A rejoinder affidavit has been filed on behalf of the petitioner stating therein that the College has found the petitioner's entitlement to be Rs.1,47,292/- and after deduction of provident fund and income tax, to a sum of Rs.1,05,092/-. However, he has been paid a sum of Rs.62,877/- only as against admissible amount of Rs.1,05,092/-.

6. Learned counsel appearing on behalf of the University has argued that whatever has been found payable to the petitioner against arrears of salary upon implementation of the recommendations of 7th Pay Revision Committee on the basis of pay verification done by the Pay Verification Cell of the State Government has been paid to the petitioner.

7. Be that as it may, considering the nature of dispute, which the petitioner has raised in the present writ application, it is disposed of with an observation that the petitioner shall be at liberty to make representation before the Principal of the



College giving his own calculation of the amount, which he is entitled to. The Principal of the College shall thereafter consider his said representation and take necessary decision on the petitioner's representation within one month after submission of the representation, if such representation is filed within one month from today.

8. If the petitioner's claim does not find favour with the Principal of the College, he will have to supply to the petitioner, the calculation of arrears of salary on the basis of which payment has been made to the petitioner.

9. This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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