

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21877 of 2018

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Ambika Devi W/o- Late Daya Nand Jha, Resident of Ghoghardiha, P.S.-
Ghoghardiha, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Vice-Chancellor, L.N. Mithila University, Darbhanga.
3. The Registrar, Lalit Narayan Mithila University, Darbhanga.
4. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.
5. The Principal, C.M.B. College, Ghoghardiha, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s	:	Mr. Prabhakar Jha, Gp-27
For the University	:	Mr. Shailesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

11 10-02-2023 Learned counsel for the petitioner, counsel for the

State and counsel for the University present.

Pleadings have been made in this case.

Counsel for the petitioner submits that a direction has

given to the respondent University to make payment of pension
and other pensionary dues on the basis of A.C.P. & M.A.C.P.
which has been fixed by the Statutory Pay Fixation Committee.

Counsel for the State submits that for the purpose of

fixing the pay scale by virtue of the Pay Verification Cell, a said
enquiry was made from the University which has not been made
till date as the State has sent a letter no. 890 dated 22.09.2020

with a view to verify the clear status. Counsel for the State submits that they are ready to pay all the arrears of the petitioner but only after receipt of final decision of Pay Verification Cell.

Since, in case of discrepancy between Pay Verification Cell and Pay Verification Committee, the Committee is basically a Statutory Committee and everyone has to follow the decision of the Statutory Committee in the light of *The State of Bihar & Anr. V. Sunny Prakash & Ors.* case decided in Civil Appeal No. 516 of 2013 decided on 18.01.2013. Till the decision of the Apex Court of the Sunny Prakash case shall be in existence. The University and the State has no option but to follow the decision of Pay Statutory Committee of the University.

In this view of the matter, the University is directed to calculate the arrear of the petitioner in the light of Pay Verification Committee and assure the same within 4 weeks from today.

With the aforesaid direction, the writ application stands disposed off.

(Dr. Anshuman, J.)

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