

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10857 of 2015

1. Santosh Kumar Pandey, S/o- late Baijanth Pandey, Resident of New - D/52, RAU, P.O- Pusa, District- Samastipur.
2. Ashok Kumar Nandan, S/o- Shri. Nand Lal Mahto, Resident of Old C2-36, KVP Pusa, P.O- Pusa, District- Samastipur.
3. Ashok Kumar Singh Yadav, S/o- Sri Sudarshan Singh Yadav, Resident of PH 1/5 RAU, Pusa, P.O- Pusa, District- Samastipur.
4. Bashant Kumar Singh, S/o- late Hari Narayan Singh, Resident of Village- Salkhua, P.O.- Abhohar, District- Saran.
5. Chandrakant Singh, S/o- Late Rajkishore Singh, Resident of PH-1, TCA Dholi, District- Muzaffarpur.
6. Birendra Kumar Trivedi, S/o- late Hardeo Trivedi, Resident of village- Harpur Pusa, P.O- Pusa, District- Samastipur.
7. Baidhnath Mahto , S/o- Late Sunder Mahto, Resident of village- Harpur Pusa, P.O- Pusa, District- Samastipur.
8. Ravindra Singh, S/o- Subedar Singh, Resident of PH- 12, TCA Dholi, District- Muzaffarpur.
9. Ranjan Kumar, S/o- late Ramlakhan Mahto, Resident of C-2/4, TCA Dholi, District- Muzaffarpur.
10. Ram Kailash Rai, S/o- Jhapsi Rai, Resident of village- Lautan, P.O- TCA Dholi, District- Muzaffarpur.
11. Shatrudhan Mahto, S/o- late Ghuran Mahto, Resident of village- Jagdishpur, P.O- Malikaur, P.S- Pusa, District- Samastipur.
12. Punam Kumari, D/o- late Shrawan Kumar Sinha, Resident of PH-5, TCA Dholi, District- Muzaffarpur.
13. Deep Narayan Poddar, S/o- Sri. Ram Lakhan Poddar, Resident of village- Dholi, P.O- Muraul, District- Muzaffarpur.
14. Raj Deo Rai, S/o- late Rajiv Rai, Resident of Village- Muraul, P.O- Muraul, District- Muzaffarpur.
15. Ram Lalit Thakur, S/o- late N. Thakur, Resident of village- Pusa, Devpar, P.O- Pusa, District- Samastipur.
16. Ajay Prasad Yadav, S/o-late Kamla Prasad Yadav, Resident of Out House Banal No.- 07, RAU, Pusa, District- Samastipur.
17. Devendra prasad Ray, S/o- late Singheshwar Rai, Resident of village- Harpur Pusa, P.O- Pusa, District- Samastipur.
18. Md. Mahfooz Alam, S/o- late Md. Isa, Resident of village- Rampur Bakhri, P.O- Bandpur Bakhri, Via- TCA Dholi, District- Muzaffarpur.
19. Chandrashekhar Thakur, S/o- late Punitlal Thakur, Resident of village- Harpur Thakur Tola, P.O- Pusa, District- Samastipur.
20. Vijay Kumar, S/o- late Rameshwar Prasad, Resident of village-Kalyanpur Gaurh, P.O- Dhighra, P.S- Pusa, District- Samastipur.



21. Ramsagar Sah, S/o- Shri. Motilal Sah, Resident of village- P.O- Malpur Angrail, P.S- Sakra, Distict- Muzaffarpur.
22. Akhilesh Kumar, S/o- Shri. Sachida Nand Rai, Vill P.O- Dighra, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Agriculture Production Commissioner, Department of Agriculture, Bihar, Patna.
3. The Vice Chancellor, Rajendra Agriculture University, Pusa, Samastipur.
4. The Director Administration, Rajendra Agriculture University, Pusa, Samastipur.
5. The Registrar, Rajendra Agriculture University, Pusa, Samastipur.
6. The Comptroller, Rajendra Agriculture University, Pusa, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Giri
For the State	:	Mr. Bijoy Kumar Sinha, AC to AAG 5
For the University	:	Mr. Chandra Mohan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 25-04-2023 Heard learned Counsel for the parties concerned.

The petitioners have filed the present writ application for removing the anomaly in their pay-scale, who are working on the post of Field Overseer in the pay scale of Rs. 4000-6000/-.

This writ application was filed in the year 2015. I have been informed at the bar that with effect from 17.08.2016, the Rajendra Agriculture University, Pusa, Samastipur, has been converted into Dr. Rajendra Prasad Central Agriculture University, Pusa, Samastipur, and the petitioners are, now, the



employees of Dr. Rajendra Prasad Central Agriculture University.

Learned Counsel for the petitioners submits that the anomaly in the pay scale started from the year 1996 inasmuch as the pay scale of the employees, who are lesser qualified than that of the petitioners, i.e. Head Clerk -cum- Cashier, has been fixed in the year 1996 as Rs. 5000-8000/-; whereas, the petitioners, who are Field Overseer, and are more qualified than that of the Head Clerk -cum- Cashier and are on technical post, have been put in the lower pay scale of Rs. 4000-6000/-. Referring to Annexure 4 to the writ application, learned Counsel for the petitioners submits that the erstwhile Rajendra Agriculture University supplied information in the proforma for the purpose of preparing budget for Dr. Rajendra Prasad Central Agriculture University, in which the pay scale of the Field Overseer has been recommended in the Pay Band II, in the pay scale of Rs. 9.300-38400/-, having grade pay of Rs. 4200/-.

On the other hand, learned Counsel for Dr. Rajendra Prasad Central Agriculture University submits that the grievance of the petitioners with regard to the anomaly in their pay scale can be considered by the State Government and the converted Dr. Rajendra Prasad Central Agriculture University cannot



decide the anomaly in the pay scale, as pointed out by the petitioners.

I have heard learned Counsel for the parties concerned and have taken into consideration the fact that the petitioners are, now, the employees of Dr. Rajendra Prasad Central Agriculture University after conversion Act, which came into effect in the year 2016. The petitioners are raising grievance with regard to anomaly in their pay scale, accordingly, in my considered opinion, the Vice Chancellor of Dr. Rajendra Prasad Central Agriculture University can take a decision upon the representation filed by the petitioners.

In the result, the petitioners are directed to file representation before the Vice Chancellor of Dr. Rajendra Prasad Central Agriculture University, Pusa, within a period of one month from today.

It is made clear that if such a representation is filed by the petitioners, the Vice Chancellor, Dr. Rajendra Prasad Central Agriculture University, shall be obliged to dispose the said representation in accordance with law and by a reasoned order within a period of three months from the date of filing of the representation.

This writ application is disposed with the aforesaid



observation and direction.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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