

Civil Writ Jurisdiction Case No.19877 of 2013

- Petitioner/s

1. The State Of Bihar through Principal Secretary Higher Education, Government of Bihar, Patna.
2. The Vice Chancellor of K.S. D.S University, Darbhanga.
3. The Registrar, K.S.D.S. University, Darbhanga.
4. The Finance Officer, K.S.D.S University, Darbhanga.

... .. Respondent/s

For the Petitioner/s : Mr. Arun Kumar Bhagat, Advocate
For the Respondent/s : Mr. Sita Ram Yadav, G.P.16
Mr. Yatindra Narayan, A.C. to G.P.16

ORAL ORDER

2. The petitioners have filed the instant writ application for directing the respondents to pay salary to the petitioners on the basis of Sixth Pay Revision Scale which was implemented by the State Government from 1.1.2006 and for other reliefs.



3. A counter affidavit has been filed on behalf of the University (Oath dated 19.2.2014), relevant portion of which is reproduced herein below for ready reference:

“4. That it is stated that the state govt. has not allowed the VIth pay revision to the teaching and non- teaching staffs of Up-Shastri Colleges of the aforesaid University.

5. That it is further stated that unless and until the VIth revised pay scale is allowed by the State, it is not possible for the University to pay the said pay scale. The University in support of the aforesaid contention relying upon the letter of the State government contained in letter no 15/G-07/07 part 52 dt. 31.10.2012 in which para 19 clearly specify that the Vith pay revision of the teaching and non-teaching staffs of Up-Shastri Colleges of the said University is not allowed by the state govt.

6. That a consequential letter to this effect was issued by the University to the Principal of the aforesaid college vide a letter contained in memo no 4992- 4993/13 dt. 23.09.2013.

7. That it is therefore submitted that the grievance of the petitioner cannot be redressed at the level of the University.”

4. In view of the statement made by the respondent- University in their counter affidavit as quoted herein above which has not been replied to by the petitioners, the Court finds



no merit in the instant application.

5. However, it is clarified that in case if subsequent to the filing of the said counter affidavit, the persons similarly situated as the petitioners have been granted salary in the Sixth Pay Revision by the State Government, the petitioners will be at liberty to file appropriate representation before the respondents-authorities which will be dealt with in accordance with law.

6. The application stands disposed of.

(Partha Sarthy, J)

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