

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15426 of 2019

=====

Dr. Birendra Prasad Singh Son of Late Dhawalkal Singh Behind Co-
Operative Bank, Company Sarai, P.O.-P.S.-Sasaram, District-Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Director, Higher Education, Government of Bihar, Patna.
4. Veer Kuwar Singh University, Ara through its Registrar
5. The Vice-Chancellor, Veer Kuwar Singh University, Ara.
6. The Registrar, Veer Kuwar Singh University, Ara.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Singh
For the State	:	Ms. Usha Kumari Singh, AC to SC 13
For the University	:	Mr. Rajesh Prasad Choudhary

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- | | | |
|---|------------|---|
| 3 | 22-12-2023 | <ol style="list-style-type: none">1. Heard learned Counsel for the parties concerned.2. Learned Counsel for the petitioner submits that the petitioner was promoted to the post of Reader vide notification, dated 04.07.2017, with effect from 17.04.1994. The petitioner has been working as Reader in Sher Sah College, Sasaram. He has filed the present writ application for payment of arrears of difference of salary from 17.04.1994 to October, 2017. He further submits that the college, vide its letter, dated 20.11.2018, has sent bills of Rs. 78,63,353/- towards the arrears of difference of salary in the 5th pay scale and 6th pay scale of Associate |
|---|------------|---|



Professor.

3. A counter affidavit has been filed by the State, in paragraph 14 of which, it has been stated that the respondent University, vide letter no. legal/131/19-93/20, dated 05.01.2021, informed the Department that it has paid 70 per cent of arrears of difference of salary to the tune of Rs. 55,04,042/- to the petitioner and the rest 30 per cent will be paid after issuance of pay verification certificate by the pay verification cell of the State Government. Referring to paragraph 15 of the counter affidavit, learned Counsel submits that the pay verification certificate of the petitioner has been issued in the revised pay scale, as per the recommendation of the 6th Pay Revision Commission. Accordingly, his submission is that onus lies upon the University to take proper steps for payment of arrears of difference of salary to the petitioner.
4. Learned Counsel for the University, referring to paragraph 5 and 6 of its counter affidavit, submits that after examining the bills by the Accounts Section of the University, the payment shall be cleared. The respondent-University is taking keen interest in the instant matter and



it is expected that within a period of four weeks from today, the matter would be settled. This counter affidavit was sworn in by the deponent on 16.08.2019.

5. However, learned Counsel for the petitioner submits that as per his instruction received today itself, not a single farthing has been paid to the petitioner by the University towards the arrears of difference of salary.
6. Having heard learned Counsel for the parties and taking into consideration the rival submissions and the fact that the pay verification certificate of the petitioner has been issued by the State Government, the University as well as the State are directed to ensure payment of entire amount of arrears of difference of salary for the period between 17.04.1994 and October, 2017 to the petitioner within a period of six weeks from today, positively.
7. With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓		
---	---	--	--

