

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16244 of 2024

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Arun Kumar Verma Son of Late Yadvendra Kumar Verma, resident of Koshi Colony, House No. 45/79, P.O. Purnea, P.S. Purnea, District - Purnea, presently working as Upper Division Assistant, Purnea College, Purnea, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Education Department, Government of Bihar, Patna.
4. The Authorized/Incharge Officer, Pay Verification Cell, Education Department, Government of Bihar, Patna.
5. The Vice Chancellor Purnea University, Purnea.
6. The Registrar, Purnea University, Purnea.
7. The Finance Officer, Purnea University, Purnea.
8. The Vice Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura.
9. The Registrar, B.N. Mandal University, Laloo Nagar, Madhepura.
10. The Finance Officer, B.N. Mandal University, Laloo Nagar, Madhepura.
11. The Principal, Purnea College, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Respondent/s : Mr. Standing Counsel-12

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

Date : 14-11-2024

Heard learned counsel for the petitioner, learned AC to SC-12 for the State, learned counsel appearing on behalf of the Purnea University and learned counsel appearing on behalf of the B.N. Mandal University.

2. Learned counsel for the petitioner submits that the instant writ application has been filed for quashing the Pay Verification Letter issued vide Receipt No. 1108221200245 by the



Education (P.V.C.) Department whereby the Pay Verification Cell of the Education Department, Government of Bihar reduced the basic salary of the petitioner from Rs.66,000/- to Rs.50,500/- as fixed by the respondent University on 01.01.2016 pursuant to the recommendation of the Statutory Pay Fixation Committee on the ground that the Pay Verification Cell has no authority to reduce the salary of the petitioner as held by this Court in catena of its decision and also the letter issued by the Education Department. Further, to command the respondent University to continue the pay fixed by the University and not to alter the same in view of the fixation made by the Pay Verification Cell of the Education Department. Further, to direct the respondent authorities to pay the differences of arrear of salary of the petitioner and other consequential benefits with interest in view of the fixation made by the respondent University and also to grant the benefit of MACP from the due date.

3. Learned counsel appearing on behalf of the petitioner submits that the only ground on which the impugned pay verification certificate is being challenged is that the same has been issued in complete violation of the principle of natural justice i.e. the petitioner was never given any opportunity to explain his side of the case. It is next submitted that the case is squarely covered by order dated 13.11.2024 passed in C.W.J.C. No. 16104 of 2024.



4. Learned counsel appearing on behalf of the State submits that though in the writ application, it has been pleaded that the pay verification certificate was issued without issuing any notice to the petitioner, but then the Pay Verification Cell issues objection to the concerned University and the concerned University thereafter seeks an explanation from the employee concerned and once the employee furnishes his explanation the University reverts back to the State Government and if the explanation furnished by the employee or the University concerned is not accepted by the Pay Verification Cell in that event, the University is directed to issue a corrigendum on which learned counsel appearing on behalf of the petitioner submits that from perusal of Annexure-P-9/1 to the writ application, it would manifest that the Registrar of Purnea University had issued a letter to the In-Charge Officer, Pay Verification Cell with regard to the petitioner annexing all his documents. It is submitted that it appears from perusal of Annexure-P-9/1 that the Pay Verification Cell of the Department of Education, Government of Bihar had sought some information from the University, but then the University did not seek any explanation from the petitioner with regard to the objection raised by the Pay Verification Cell as has been pleaded at para 25 of the writ application. It is, thus, submitted that the decision to scale down the salary of the petitioner by the Pay Verification Cell is unilateral and is in complete violation of the principle of natural



justice and, thus, cannot be countenanced. It is also submitted that this Court in C.W.J.C. No. 16104 of 2024 vide order dated 13.11.2024 had quashed the Pay Verification Certificate and had remanded the matter back to the authority for considering it afresh in accordance with law.

5. After hearing the learned learned counsel for the parties, the writ application is allowed and the Pay Verification Letter issued vide Receipt No. 1108221200245 by the Education (P.V.C.) Department is hereby quashed on the ground that the same has been issued in complete violation of the principle of natural justice as held by this Court in C.W.J.C. No. 16104 of 2024 and the Director, Higher Education, Education Department, Government of Bihar, Patna is directed to proceed afresh in accordance with law.

(Satyavrat Verma, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	14.11.2024
Transmission Date	

