

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16894 of 2024**

Dr. Narendra Kumar Son of Sri Ram Kumar Mehta Resident of 504, Om Vamika, Vijay Singh Yadav Path, opposite Radiant International School, Khagaul Road, P.O.- Danapur Cantt, District-Patna, Pin Code- 801503.

... .. Petitioner

Versus

1. Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur through its Registrar.
2. Vice Chancellor, Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur.
3. Registrar, Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur.
4. Deputy Registrar (Establishment), Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Raushan, Sahil Kumar, Advocates  
For the Respondent/s : Mr.Vijay Shankar Upadhyay, Advocate

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      12-11-2024

Writ petition has been filed for following reliefs:-

*(i) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur (hereinafter referred to as "the University") for fixing the pay of the petitioner w.e.f. 22/02/2021 in the current pay band and academic grade pay of Rs. 9000/- in the light of notification no. 0.0.-1113 (II)Estt/02/2022/CAS/RPCAUPUSA dated 05/09/2023 because the petitioner was promoted against the post of Associate Professor-cum-Senior Scientist Level-13 A under Career Advancement Scheme (CAS) 2022-23;*

*(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the University to give consequential benefits after fixing the pay scale including the release of the arrears of salary*



*which has not been paid to him w.e.f. 22/02/2021 the date from which the petitioner has been promoted against the post of Associate Professor-cum-Senior Scientist Level-13 A under Career Advancement Scheme (CAS) 2022-23;*

*(iii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to pay interest over and above the amount due to be paid to the petitioner after fixing the pay scale of the petitioner;*

*(iv) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case.*

2. Brief facts giving rise to the writ petition are that the petitioner started working against the post of the Associate (Subject Matter Specialist) in the Faculty of Veterinary and Animal Sciences at Krishi Vigyan Kendra, Araria in accordance with law. Vide office order dated 25.7.2023 (annexure P/8) on 11.7.2023 petitioner submitted his joining on the post of Associate Professor at Department of Veterinary Pathology, College of Veterinary and Animal Sciences, Kishanganj under the Bihar Animal Sciences University. Petitioner was granted promotion against the post of Associate Professor-cum-Senior Scientist Level-13 A under Career Advancement Scheme (CAS) 2022- 23. However, unfortunately pay fixation of the petitioner was not further approved/notified by the Director of the University and therefore, the petitioner submitted a representation dated 22/01/2024 to the Deputy Registrar



(Establishment) of the University requesting him for the fixation of pay of the petitioner w.e.f. 22/02/2021 in the current pay band and granting grade pay of Rs.9000/- in the light of the notification No. (II)Estt./02/2022/CAS/RPCAU, PUSA 0.0.-1113 dated 05/09/2023 but till date the pay fixation of the petitioner was not approved/notified by the University.

3. Learned counsel for the petitioner submits that when no action was taken by the University with respect to fixing pay of the petitioner w.e.f. 22/02/2021, the petitioner repeatedly submitted representations dated 5.8.2024 ( annexure P/13) and dated 29/01/2024 (annexure P/11) to the Deputy Registrar (Establishment) requesting him for fixation of his pay scale. Learned counsel submits that on account of highhandedness and illegal disposition on the part of the respondent authorities of the University, fixation of the pay of the petitioner w.e.f. 22/02/2021 in the current pay band and academic grade pay of Rs. 9000/- in the light of notification no.0.0.1113(II) Estt./02/2022/CAS/RPCAU, PUSA dated 05/09/2023 was not done till date and thus petitioner is seriously facing financial loss and losing his seniority due to non- fixation of the pay scale of the petitioner.

4. Learned counsel representing the University



submits that since the petitioner has filed representations before the University authorities with respect to fixation of pay in light of different notifications or orders of the Government, he should pursue the matter before the said authorities.

5. Having heard learned counsel for the parties and on perusal of materials available on the record, I direct respondents no. 3 and 4 to take decision with regard to fixation of pay of the petitioner in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

6. Writ petition stands disposed of with the aforesaid directions.

**(Prabhat Kumar Singh, J)**

Shashi

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

