

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1329 of 2025

Vijay Kumar Mehta S/o Ramswaroop Mahto Resident of Village-Dighi Tank,
Motisen Bagicha, Gaya, District-Gaya, Retired as Assistant from Ram Lakhan
Singh Yadav College, Aurangabad, a Constiuent Unit of Magadh University.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Vice-Chancellor, Magadh University Bodh Gaya.
4. The Registrar, Magadh University Bodh Gaya.
5. The Finance Officer, Magadh University Bodh Gaya.
6. The Principal, Ram Lakhan Singh Yadav College, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh
For the Respondent/s	:	AC to GP-10
		Mr. Sunit Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-02-2025 1. Heard learned counsel for the petitioner, learned AC to GP-22 and the learned counsel appearing on behalf of Magadh University.

2. The learned counsel for the petitioner submits that the instant writ application has been filed for quashing the pay verification letter issued vide Receipt No. 0406220100001 issued by the Education (PVC) Department, whereby the pay verification cell of the Education Department has slashed down the scale of the petitioner from Rs. 5500-9000/ to Rs. 4000-6000/, further to quash the Letter No. 1063/2024 dated 24-8-2024 (Annexure-8) issued by



the Respondent No. 5, whereby a direction has been given to the college to calculate claim as per pay slip issued by the pay verification cell for adjusting the amount paid to the petitioner in excess and also for quashing the Letter No. A/C-98/2024 dated 16-10-2024 issued by the Principal of Ram Lakhan Singh Yadav College, Aurangabad, whereby he has communicated that an amount of Rs. 12,63,350 has been paid in excess to the petitioner.

3. The learned counsel for the petitioner next 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 principles 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 an order dated 13-11-2024 in CWJC No. 16104 of 2024 (Suray Deo Paswan vs the State of Bihar & Ors.).

4. Learned counsel for 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 objections 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.

5. The learned counsel for the petitioner submits that what has been submitted by the learned State counsel cannot be countenanced, but then a specific pleading has been made at para 21 of the writ application that the pay verification certificate was issued without seeking any explanation from the petitioner. 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 principles of natural justice and thus cannot be countenanced. It is next submitted that this Court in CWJC No. 16104 of 2024 (Suray Deo Paswan vs the State of Bihar & Ors.) had quashed the pay verification certificate and had remanded the matter back to the authority for considering it afresh, in accordance with law, by an order dated 13-11-2024.

6. After hearing the learned counsel for the parties, the writ application is allowed and the pay verification letter issued by receipt No. 0406220100001 is hereby quashed on the grounds that the same has been issued in complete violation of the principles of natural justice as held by this Court in CWJC No. 16104 of 2024 (Suray Deo Paswan vs the State of Bihar & Ors.) and the Director, Higher Education, Education Department, Government of Bihar, Patna is directed to proceed afresh in accordance with law and is



further directed that no recovery/adjustment shall be made from the salary of the petitioner.

7. It goes without saying that the petitioner would be entitled to the salary which he was getting prior to the issuance of the pay verification certificate until and unless a decision in accordance with law is not taken.

8. It is made clear that if the authorities come to a conclusion that the pay verification certificate was issued after issuing show-cause/hearing to the petitioner, in that event, the present order shall not be given effect too.

(Satyavrat Verma, J)

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