

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3511 of 2025

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Jitendra Prasad S/o Late-Chandeshwar Prasad Resident of Chandramani
Niwas Jhari Sao Lane, Khatri Tola Jehanabad, P.S.- Jehanabad, District-
Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, New Secretariat, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Director, Higher Education, Department of Education, Government of Bihar, New Secretariat, Patna.
4. The Authorized Officer, Pay Verification Cell, Department of Education, Government of Bihar, Patna. having its Office at B.S.T.B.P. Corporation, Buddha Marg, Patna.
5. The Magadh University, Bodh Gaya through its Registrar.
6. The Vice Chancellor, Magadh University, Bodh Gaya.
7. The Registrar, Magadh University, Bodh Gaya.
8. The Finance Officer, Magadh University, Bodh Gaya.
9. The Principal, S.D. College, Kaler, Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar
For the Respondent/s : Mr. Additional Advocate General (3)

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-03-2025 1. Heard learned counsel for the petitioner, Mr. Ritesh Kumar, learned AC to AAG-3 and the learned counsel appearing on behalf of the Magadh University.
2. Learned counsel for the petitioner submits that the instant writ application has been filed for quashing the Pay Verification Certificate issued vide receipt no. 2607220100971 under the signature of the authorized officer, Pay Verification



Cell of the Department of Education, Government of Bihar, Patna (Annexure-10) whereby the basic pay of the petitioner as on 01.01.2006 has been fixed at Rs. 9300/- with Grade Pay of Rs. 2400 instead of Rs. 13490/- with Grade Pay of Rs. 4200/- and his basic pay has been reduced to Rs. 49000/- on 01.01.2016 instead of Rs. 68000/- which was fixed by the university on 01.01.2016 without any authority and in complete violation of Principles of Natural Justice and also in violation of the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal No. 516 of 2013 (State of Bihar & Ors. Vs. Sunny Prakash & Ors.) further for a direction upon the authorities not to interfere with the pay fixation done by the statutory pay fixation committee of the university and to restore the pay scale and designation of the petitioner which was fixed by the university since the same is in consonance with the direction given by the Hon'ble Supreme Court of India in the case of State of Bihar & Anr. Vs. Sunny Prakash & Ors.

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 principles of natural justice i.e. the petitioner was never given any opportunity to



explain his side of the case. It is further submitted that the case is squarely covered by the order dated 13.11.2024 passed in C.W.J.C. No. 16104 of 2024.

4. Learned counsel appearing on behalf of the petitioner submits that if the Pay Verification Cell was of the opinion that the salary of the petitioner needs to be scaled down in that event the Pay Verification Cell had to issue a notice to the University and the University in turn would have sought an explanation from the petitioner but then the same was not done and the entire exercise was carried behind the back of the petitioner. It is further submitted that any order passed which has civil consequences cannot be countenanced when the same is issued in breach of the principles of natural justice. It is next submitted that this Court in C.W.J.C. No. 16104 of 2024 (Suray Deo Paswan Vs. The State of Bihar & Ors.) 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 counsel for the parties, the writ application is allowed and the Pay Verification Certificate issued vide receipt no. 2607220100971 by the Education (PVC) Department, Government of Bihar, Patna is



hereby quashed on the ground that the same has been issued in complete violation of the principles 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)

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