

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12699 of 2021**

1. Md. Abbas Ansari Son of Late Md. Israil Ansari, Resident of Bahadurpur, Ward No. 26, India Galli, Samastipur, retired as P.T.I. from U.R. College, Rossera, Samastipur, a constituent of L.N. Mithila University, Darbhanga.
2. Minhajul Islam Khan, Son of Late Md. Ilyas Khan, resident of Paithan Kabai, P.S. Manigachi, District - Darbhanga, retired as P.T.I. from R.N. College, Pandaul, Madhubani.
3. Janaki Prasad Chaudhary Son of Sri Bikal Chaudhary, resident of Teacher's Colony, Barheta Road, near to South of Nahar, P.S. - Bahadurpur, Laheriasarai, District - Darbhanga, retired as P.T.I. from B.M.A. College, Baheri.
4. Bishwanath Singh S/o Late Tej Narayan Singh, resident of Karahiya, P.S.- Raj Nagar, District - Madhubani, retired as P.T.I. from V.S.J. College, Raj Nagar, Madhubani.
5. Birendra Kumar Prasad, S/o Late Kishori Prasad, resident of North Shankar Chauk, Madhubani, Ward No.6, P.S. and District - Madhubani, retired as P.T.I. from Bhasti Mandan College Rahika, Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.
6. The Principal, U.R. College, Rossera, Samastipur.
7. The Principal, R.N. College, Pandaul, Madhubani.
8. The Principal, B.M.A. College, Baheri.
9. The Principal, V.S.J. College, Raj Nagar, Madhubani.
10. The Principal, Bharti Mandan College Rahika, Madhubani.

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr.Shashi Bhushan Singh, Advocate |
| For the University   | : | Mr.Manoj Kumar Singh, Advocate    |
| For the Respondent/s | : | Mr.Hitesh Suman, AC to SC 13      |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

6      15-04-2025

Heard Mr. Shashi Bhushan Singh, learned counsel



appearing on behalf of the petitioners; Mr. Manoj Kumar Singh, learned counsel for the University and Mr. Hitesh Suman, learned AC to SC 13 for the State.

2. The petitioners in paragraph no. 1 of the present writ petition have sought *inter alia* following relief(s), which is reproduced hereinafter:-

*“(i) For issuance of an appropriate writ in the nature of certiorari for quashing the fixation to the extend whereby the pay scale of the petitioners has been slashed down to Rs.15,600-39,100/- Grade Pay 6,000/- from 15,600-39,100 Grade Pay 9000/- respectively without coming to the conclusion that in view of judgment of the Hon’ble Apex Court reported in 2004, Vol.-IX, SCC, Page 65 (State of Kerala vs. K.K. Roy), the employees are entitled to get at least two promotion during the entire service period and in case of non-grant of regular promotion benefit to ACP and MACP is given.*

*(ii) For issuance of an appropriate writ in the nature of mandamus commanding and directing the respondent authorities to hold the fixation made by the Statutory Pay Fixation Committee after granting the benefit of ACP and MACP in the pay scale of Rs.15600-39100/- Grade Pay Rs.8000 and 9000/- which is in the consonance of Hon’ble High Court in CWJC No.12026/2014 and its analogous cases, order dated 06.08.2019 and after declaration of the aforesaid pay scale valid a direction may be given for payment of pre and post retiral dues thereupon and also for a direction to pay GIC at the rate of 12.5 % compound interest and DDA @ 9% compound interest in view of law laid down by the Hon’ble Court reported in 2006 (4) PLJR 369.*

*(iii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”*

3. Mr. Shashi Bhushan Singh, learned counsel appearing on behalf of the petitioners informs that in view of the



incorrect statement made in paragraph no.14 of the counter affidavit filed on behalf of respondent nos.3 to 5 in respect of calculation of Group Insurance, ACP/MACP and DDA, the petitioners have brought on record **Annexure 8**, in which the name of the petitioner no.1 appears at sl.no.47. He further informs that the pay of the petitioner as on 01.07.2016 was Rs.45,470/-, which has now been reduced for no fault of the petitioner.

4. So far as payment of Group Insurance is concerned, compound interest at the rate of 12.5 % is required to be paid in the light of judgment passed by the Division Bench in ***LPA No.196 of 2022 (Lalit Narayan Mithila University vs. Yogendra Roy & Ors)***. The Division Bench had dismissed the Appeal filed on behalf of the University against the ***judgment*** and ***order dated 01.12.2021*** passed in ***CWJC No.3754 of 2021***.

5. The University, vide its resolution dated 27.07.1985 has adopted Insurance-cum-Saving Scheme (revised) of the State Government, however, excluded 12.5 % interest so as to the same benefit of 12.5 % can not be granted to the employees of the University, which has been negated by the Division Bench. The result being that the petitioners are entitled for 12.5 % interest on the amount of Group Insurance along with the



compound interest.

6. Mr. Manoj Kumar Singh, learned counsel appearing on behalf of the University informs that in Paragraph No.14 of the counter affidavit, they have given information that the steps have already been taken to grant payment of ACP/MACP and DDA along with Group Insurance and the same will be done expeditiously.

7. Heard the parties.

8. Having considered the rival submissions made on behalf of the parties, as well as, the admitted fact that the claim of the petitioners is under due consideration of the University for making payment of all the dues as claimed by the petitioners in paragraph no.1 of the writ petition. It is admitted by the University that the petitioners are required to be paid the Group Insurance, ACP/MACP and DDA. The said counter affidavit was filed on 07.04.2025 and the learned counsel for the University has not been able to give subsequent development, which has taken place in respect of payment of admitted dues.

9. I find that the statement has been made in Paragraph no.5 of the counter affidavit that so far as payment of admitted dues, as claimed by the petitioners, under different heads is concerned, the same is required to be verified by the



Pay Verification Cell.

10. From the pleadings, I gathered information that the grievance of the petitioners has already been ventilated by the Pay Verification Cell and much delay has been caused on the part of the University.

11. The question arises whether Statutory Pay Fixation Committee has already fixed the pay of the petitioners and whether there is any power of review, which can be dealt with in another writ petition considering the fact that the University has already admitted in Paragraph no.14 that the due process has been undertaken by them to make payment of all the claims expeditiously.

12. I do not find to enter into the said question. It is expected from the Vice Chancellor of the University that all the payments are made to the petitioners well within a period of four weeks failing which the petitioners are at liberty to take appropriate legal action against the respondents.

13. With the above observation/direction, the present writ petition stands disposed of.

**(Purnendu Singh, J)**

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