

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15881 of 2021**

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1. Bihar Rajya Vishwavidyalay Karmchari Mahasangh Patna through its President onamely Shankar Yadav, aged about-52 Years, Son of Basudev Lal Yadav, Sex-Male, R/o Mohalla-Chunabhatti, P.O.-Lakshmi Sagar, P.S.-L.N.M.U. Campus, Town and District-Darbhangha, Presently Working as a Class IV Employee in L.N.Mithila University, Darbhanga.
2. Ram Kumar Singh S/o Late Pramhans Singh, R/o-Aadarsh Nagar Mazoliya Khatal, P.S. and Dist.-Muzaffarpur Presently Working as a Class IV Employee in B.R.A. Bihar University, Muzaffarpur.
3. Prem Chandra Prasad S/o Late Dineshwar Singh Village and Post-Harpur Belwa, District-Vaishali, Present Working as a Class IV Employee in L.N. Mithila University, Darbhanga.
4. Bhola Paswan S/o Late Raghunath Paswan, Resident of \_Naya Tola Sundarpur, P.O.-Lalbagh, P.S.-L.N.M.U. Campurs, Town and District-Darbhangha, Presently Working as a Class IV Employee in L.N.Mithila University, Darbhanga.
5. Ram Sevak Bharti S/o Late Bauejee Yadav, R/o-Chandanpatti, P.O.-Sara Mohanpur, P.S.-Sadar Darbhanga, Town and District-Darbhangha, Presently Working as a Class IV Employee in L.N.Mithila University, Darbhanga.
6. Mahesh Yadav S/o Late Sitaram Yadav, Resident of Mula Azamnagar, P.O.-Lalbagh, P.S.-L.N.M.U. Campus, Town and District-Darbhangha, Presently Working as a Class IV Employee in L.N.Mithila University, Darbhanga.
7. Md. Nasiruddin S/o md. Yasim, Mohalla-Ratnopatti, P.O.-Subhankarpur, P.S.-Sadar, District-Darbhangha, Presently Working as a Class IV Employee in K.S. Darbhanga Sanskrit University, Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Finance, Govt. of Bihar, Old Secretary, Patna.
2. The Principal Secretary, Department of Education, Govt. of Bihar, New Secretary, Vikas Bhawan, Patna.
3. The Director, Higher Education Department, Govt of Bihar, New Secretariat, Vikas Bhawan Patna.
4. The Authorised Officer, Pay Verification Cell, Education Deptt, Govt. of Bihar, Patna, Having its Office In the Building of Bihar State Text Book Publishing Corporation, Buddh Marg, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Purushottam Kumar Jha, Advocate |
| For the Respondent/s | : | Mr. Madanjeet Kumar, (Gp20)         |
|                      |   | Mr. Mrigendra Kumar, Advocate       |

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



**ORAL JUDGMENT**

**Date : 04-08-2025**

Heard Mr. Purushottam Kumar Jha, learned counsel appearing on behalf of the petitioners and Mr. Madanjeet Kumar, learned GP20 along with Mr. Mrigendra Kumar, learned counsel appearing on behalf of the State.

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

*“i. Issuance of an order, direction or a writ in the nature of Mandamus commanding the Respondents concerned to grant same pay scale to the Class-IV Employees working in the Universities in Bihar including the petitioners, as have been and are being extended to the similarly situated Class IV Employees working in the different Offices of the State Govt. Secretariat of the Govt. of Bihar, that too, with all consequential benefits.*

*ii. To hold and declare that the action of the Respondents concerned in not taking final decision in relation to the representations submitted before them vide Annexure - 4 to 6 is highly illegal, arbitrary, malafide, malicious and unsustainable in the eye of law and is fit to be deprecated by this Hon'ble Court in strong words.”*

3. Learned counsel appearing on behalf of petitioners informs that the association namely the Bihar Rajya Vishwavidyalay Karmchari Mahasangh, which represents the Class – IV employees of altogether 12 Universities, whose service conditions are guided by the Universities Act, 1976. It is contended by learned counsel that the benefit of pay scale has been extended to them as per the agreement entered into with the State Government and the Employees Association, however,



benefits have not been granted to them in terms of the agreement and in this regard specific statement has been made particularly in para -18 of the writ petition. Aggrieved by the action, a representation was filed through the President of the Association on 08.09.2020 on behalf of the member and the same is pending for adjudication on the part of the Additional Chief Secretary, Education Department, Government of Bihar. It is also informed that several individual application/representation have also been filed by the Class-IV employees of different Universities. Those applications are also pending for adjudication and final disposal.

4. The Additional Chief Secretary, Education Department is directed to seek service particulars selecting those employees who file their individual application and see that they are entitled for the benefits in terms of communication no.123/C dated 25.02.1987. In case Additional Chief Secretary finds it proper, he may constitute a screening committee and fix the time, so that, the individual cases of the aggrieved employees can be considered and in that case the screening committee is required to place its report before the Additional Chief Secretary within the time specified.

5. The above exercise is directed to be concluded well



within a period of six months.

6. Accordingly, the present writ petition stands disposed of.

**(Purnendu Singh, J)**

Ashishsingh/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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