

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16684 of 2025

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Pankaj Kumar Jha, S/o- Late Dr. Amrendra Jha @ Late Amrendra Jha, R/o-
Mohalla- Adampur, Infront of PWD, IB, SVN Path, P.O.- Adampur, P.s.
Kotwali, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Authorized Officer, Pay Verification Cell, Education Department, Government of Bihar, Patna.
5. The Tilka Manjhi Bhagalpur University, Bhagalpur through its Registrar.
6. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
7. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
8. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
9. The Nodal Officer / Admin. Pay Verification, Tilka Manjhi Bhagalpur University, Bhagalpur.
10. The Incharge, Pay Verification, Tilka Manjhi Bhagalpur University, Bhagalpur.
11. The Principal, Sabour College, Sabour, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Om Prakash Kumar, Adv.
For the Respondent/s	:	Ms. Nutan Sahay, AC to AAG-12
For the T.M.B.U.	:	Mr. Ashhar Mustafa, Adv.
		Mr. Rahil Firdaush, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-11-2025 Heard the parties.

2. The petitioner has approached this Court for the
following reliefs:-

*a) For issuance of appropriate writ(s),
order(s), direction(s) for setting aside*



the Pay Verification Certificate issued by the Authorized Officer, Pay Verification Cell, Education Department, Government of Bihar vide Receipt No. 2707220700121 w.r.t. petitioner (Annexure-P/6) whereby and whereunder the petitioner's pay scale has been reduced to 5200- 20200 (Grade Pay-2000) in place of pay scale 5200-20200 (Grade Pay-2800) which was being paid to him since 2019 without any authority of law and in violation of Principles of Natural Justice and violation of settled law.

b) For issuance of appropriate writ(s), order(s), direction(s) commanding the respondents not to interfere with the pay fixation of the petitioner done by the statutory pay fixation committee of the respondent University and to restore the pay scale of petitioner, which had been fixed and was being paid by the university to the petitioner till October, 2024. The petitioner further prays for payment of arrears accrued in favour of the petitioner from November, 2024 because of the illegal reduction in the pay scale of the petitioner.

c) Pass such other order(s) direction(s) for which petitioner is entitled in the facts and circumstances of the instant case.

3. Learned Advocate for the petitioner referring to the averments made in the writ petition submitted that despite the



fact the pay scale of the petitioner was fixed in the light of the recommendation of the Statutory Pay Fixation Committee of the University, the same has been altered by the pay verification cell of the State unilaterally without giving any notice to the University or the petitioner. The identical issue has come up for consideration before a co-ordinate Bench of this Court in the case of *Surya Deo Paswan vs. The State of Bihar & Ors.* in *C.W.J.C. No. 16104 of 2024* which came to be disposed off on 13.11.2024 wherein the Court after taking note of the settled position as held in the case of *Dr. Kedar Nath Pandey & Ors. vs. Magadh University Bodhgaya Through its Registrar & Ors.* in *C.W.J.C. No. 7636 of 2014* observed and reiterated that the pay verification cell does not have the power to amend the earlier decision of the University unilaterally, rather the University has to be noticed and the University in turn will notice the affected employee and after considering the reply, if pay verification cell is not satisfied in that event, University will be asked to issue corrigendum, hence the pay verification cell on its own cannot fiddle with the pay scale of the employees, and accordingly allowed the writ petition and set aside the pay verification certificate.

4. Learned Advocate for the petitioner referring to the



afore-noted decision passed in C.W.J.C. No. 16104 of 2017 submitted that his case is identical to that of the aforesaid case.

5. Learned Advocate for the State and the University seeks a short adjournment to ensure filing of the counter affidavit.

6. Considering the specific contention of the petitioner that the impugned pay verification certificate has been issued in complete violation of the principles of natural justice and at no point of time the petitioner has been placed on notice before issuance of the impugned pay verification certificate, as also the case of the petitioner is covered with the afore-noted decision rendered in the case of C.W.J.C. No. 16104 of 2024, this Court finds substance in the writ petition and accordingly set aside the impugned order issued vide receipt no. 1711220100242 and relegated the matter back to the State authorities for proceeding fresh, in accordance with law.

7. The writ petition stands allowed to the extent indicated hereinabove.

(Harish Kumar, J)

supratim/-

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