

Nirmal Kumar son of Late Parshuram Sah @ Paushuram Sah, resident of New Sipahi Tola, P.O. and P.S. Purnea, District Purnea, presently working as Incharge Head Assistant Purnea Women s College, Purnea, District- Purnea.

Versus

- Respondent/s

For the Petitioner/s : Mr. Vijay Kumar Singh
For the Respondent/s : AC to GA-11

2. Learned counsel for the petitioner submits that the instant writ application has been filed for quashing the Pay Verification Letter issued vide Receipt No. 2207221200230 by



Education (Pay Verification Cell) Department whereby the Pay Verification Cell of the Education Department has reduced the basic salary of the petitioner from Lever-5 to Level-3 and also the basic salary from Rs. 39,200/- to Rs. 30,200/- as on 01.01.2016 contrary to the fixation made by the statutory pay fixation committed of the respondent university on the ground that the Pay Verification Cell has no authority to reduce the salary of the petitioner as held by this Court in *catena* of decision and also in the letters issued by the Education Department, further, for a direction upon the University not to alter the fixation made by the respondent university in view of the fixation made by the Pay Verification Cell of the Education Department and to pay the differences of arrear of salary of the petitioner and other consequential benefits with interest and to direct the university to continue to pay the salary to the petitioner on the basis of fixation made by the respondent university apart from other reliefs.

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 next submitted that the case is squarely covered by order dated 13.11.2024 passed in C.W.J.C. No. 16104 of 2024 (Suray Deo Paswan Vs. The State of Bihar & Ors.)

4. The learned counsel appearing on behalf of 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 objection 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, on which learned counsel appearing on behalf of the petitioner submits that a specific pleading has been made at Para-16 of the writ application that the impugned pay slip has been issued without seeking any show cause notice and without giving any opportunity of hearing to the petitioner when Pay Verification Cell has no authority to reduce the same unilaterally. It is thus submitted that the decision to scale down



the salary of the petitioner by the Pay Verification Cell is unilateral and thus is in complete violation of the Principles of natural justice and thus cannot be countenanced.

5. After hearing the learned learned counsel for the parties, the writ application is allowed and the Pay Verification Letter issued vide Receipt No. 2207221200230 by the Education (P.V.C.) Department 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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