

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19808 of 2024

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Dhiraj Kumar Sharma S/o Satya Narayan Sharma, Resident of- House No.-
420B, Ward No.-13, Railway New Colony, Katihar- 854105, District- Katihar.
... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Department of Higher Education, Govt. of Bihar, Patna.
4. The Authorized Officer, Pay Verification Cell, Department of Education, Government of Bihar, Patna.
5. The Vice Chancellor, B.N. Mandal University.
6. The Registrar, B.N. Mandal University.
7. The Finance Officer, B.N. Mandal University.
8. The Vice Chancellor, Purnea University, Purnea.
9. The Registrar, Purnea University, Purnea.
10. The Finance Officer, Purnea University, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhimanyu Vatsa, Adv.
	:	Mr. Sameer Sawarn, Adv.
For the State	:	Mr. Addl. Advocate General 05
For the Respondent No.5:	:	Mr. Ritesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-02-2025 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the Respondent

No.5.

2. The present writ petition has been filed seeking the

following reliefs:

“(i) To issue a writ in the nature of writ of certiorari for quashing the memo no. GS (LC2-1355/10 Part File) - 728/22 dated 23.07.2022 issued by Registrar, B.N. Mandal University, Madhepura whereby the grade pay (GP) of the petitioner has been reduced from GP 2400 to GP 1900 in the pay scale of 5200-20200 (4000-6000) and also reduced the basic pay from 25,500/- (at the time of appointment) to 19,900/- with effect from initial date of joining i.e. 14.07.2017
(ii) To issue a writ in the nature of writ of certiorari for



quashing the memo no. PUP/AC/22-334 dated 01.08.2022 and Notification bearing Memo No. PUP (Admin-832/22)-R/22-684 dated 16.08.2022 issued by Registrar, Purnea University, Purnea whereby the grade pay (GP) of the petitioner has been reduced from GP 2400 to GP 1900 in the pay scale of 5200-20200 (4000-6000) and also reduced the basic pay from 25,500/- (at the time of appointment) to 19,900/- with effect from initial date of joining i.e. 14.07.2017.

(iii) To issue a writ in the nature of writ of certiorari for quashing the Pay verification Certificate vide Reciept No. 2607221200187 issued by the Authorized Officer, Pay Verification Cell, Department of Education, Govt. of Bihar whereby the grade pay (GP) of the petitioner has been reduced from GP 2400 to GP 1900 in the pay scale of 5200-20200 (4000-6000) and also reduced the basic pay from 25,500/- (at the time of appointment) to 19,900/- with effect from initial date of joining i.e. 14.07.2017.

(iv) To issue a writ in the nature of writ of mandamus commanding and directing the Respondents to restore the grade pay of the petitioner to GP 2400 in the pay scale of 5200-20200 with effect from the date of his joining i.e. 14.07.2017.

(v) To issue a writ in the nature of writ of mandamus commanding and directing the Respondents to continue to pay the salary of the Petitioner in the pay scale of 5200-20200 (GP 2400) in the light of pay fixation done by the B.N. Mandal University at the time of appointment i.e. on 14.07.2017.

(vi) To issue a writ in the nature of writ of mandamus commanding and directing the Respondents to pay the arrears of difference of salary and all the other consequential benefits to the petitioner with interest with effect from the date of appointment i.e. 14.07.2017.

(vii) To issue any other writ/order/direction or directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

3. Learned counsel for the petitioner submits that without hearing the petitioner, the University has reduced the Grade Pay of the petitioner from GP 2400 to GP 1900 in the pay scale of 5200-20200 (4000-6000) and also reduced the basic Pay from 25,500/- (at the time of appointment) to 19,900/- with



effect from initial date of joining i.e. 14.07.2017.

4. Learned counsel for the University has also admitted the fact that no opportunity of hearing was given to the petitioner, hence, there is violation of the principles of natural justice.

5. Considering the above-stated facts, the Letter No.GS (LC 2-1355/10 part file) – 728/22 dated 23.07.2022 (Annexure-5), Memo bearing Ref. No. PUP/AC/22-333 dated 01.08.2022 and Notification bearing Memo No.PUP (Admin-832/22)-R/22-684 dated 16.08.2022 (Annexure-P/6 series) and Pay Verification Certificate bearing Receipt No.2607221200187 (Annexure-P/11) are hereby quashed and the matter is remanded back to the University for proceeding afresh in accordance with law.

6. The University is also directed to pay the difference of arrears of salary to the petitioner from the date of its reduction of the salary.

7. With the afore-said observation and direction, the instant writ petition stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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