

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19310 of 2024

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Birendra Kumar Singh S/o Late Ramchandra Prasad Singh, Resident of Tilha Dharamsala West, Gaya, P.S.-Vishnupad, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, New Secretariat, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Director, Higher Education, Department of Education, Government of Bihar, New Secretariat, Patna.
4. The Magadh University Bodh Gaya through its Registrar.
5. The Vice Chancellor, Magadh University, Bodh Gaya.
6. The Registrar, Magadh University, Bodh Gaya.
7. The Finance Officer, Magadh University, Bodh Gaya.
8. The Principal, A.M. College, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ritesh Kumar, Advocate
For the Respondent/s	:	Mr. AC to SC 10
		Mr. Siddhartha Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-04-2025 Heard learned counsel for the petitioner, learned AC to SC 10 for the State and learned counsel for the University.

2. The instant writ application has been filed by the petitioner seeking a direction upon the respondent authorities to make payment of the arrear of difference of salary to the petitioner for the period August 1999 to 31.01.2016 of an amount of Rs.4,13.062/- which has not been paid to the petitioner despite petitioner being entitled for the payment on



account of grant of 5th and 6th pay revision to the University employee.

3. It is next submitted that petitioner was appointed as Lower Division Assistant vide letter dated 30.05.1980 (Annexure-1) issued by the Secretary, Governing Body, A.M College, Gaya, the petitioner accordingly gave his joining before the Principle, A.M. College, Gaya on 01.07.1980, subsequently, the college became constituent college of Magadh University, Bodh Gaya.

4. It is next submitted that the petitioner was promoted to the post of Assistant by the competent authority, thereafter, pay fixation of the petitioner was also done by the Statutory Pay Fixation Committee of the respondent University, as Assistant from time to time. Subsequently, pay verification certificate was also issued in favour of the petitioner by the Pay Verification Cell constituted by the Department of Education, Govt. of Bihar, whereby designation of the petitioner as Assistant was confirmed along with the pay fixation done by the Statutory Pay Fixation Committee of the University.

5. It is submitted that the pay scale of the University and college employees was revised and benefit of 5th and 6th pay revision was granted, however, arrears of difference of salary for



the period 01.04.1997 to 31.03.2017 was not paid to the similarly situated employees like the petitioner of the college, it is submitted that from the statement of arrear claim of the petitioner from August 1999, to January, 2016, i.e. till the date of his retirement, it would manifest that petitioner is entitled for payment of Rs.4,13,062/- on account of arrear of difference of salary.

6. It is also submitted that the college vide letter dated 20.07.2021 (Annexure-3) has already sent the bill to the University but the payment till date has not been made. The petitioner had also represented by representation dated 12.04.2022 (Annexure-4) before the Principle of the College but still no action was taken for payment of arrears.

7. Learned counsel appearing on behalf of the University fairly submits that from the pleading made in the writ application it appears that the claim of the petitioner is genuine but then that is subject to decision taken by the authority of the University. As such, it is submitted that the writ application can be disposed of with a direction to file a fresh representation before the Registrar of the University seeking redressal of his grievance as raised in the instant writ application.

8. The learned counsel appearing on behalf of the petitioner



submits that fresh representation before the Registrar of the University shall be filed on or before 30.04.2025.

9. After hearing learned counsels for the parties, the writ application is disposed of with a liberty to the petitioner to file a fresh representation before the Registrar, Magadh University, seeking redressal of his grievance as raised in the instant writ application. It is made clear that if a representation is filed by the petitioner on or before 30.04.2025, seeking redressal of his grievance, in that event the Registrar of the Magadh University shall consider and dispose of the same within a period of two months thereafter, after giving proper opportunity of hearing to the petitioner.

10. It is further made clear that if the grievance of the petitioner is found legitimate in that event the payment shall also be made within a period of 15 days thereafter.

11. With the aforesaid direction, this writ application stands disposed of.

(Satyavrat Verma, J)

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