

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.595 of 2025

Nabi Ahmad Son of Mainuddin Miya, Resident of Village- Surahiya, P.O. and P.S. Barharia, District- Siwan, the retired Counter Clerk, Z.A. Islamia College, Siwan, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, 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 /Incharge Officer, Pay Verification Cell, Education Department, Government of Bihar, Patna.
5. The Vice Chancellor, Jai Prakash University, Chapra, District- Saran.
6. The Registrar, Jai Prakash University, Chapra, District- Saran.
7. The Finance Officer, Jai Prakash University, Chapra, District- Saran.
8. The Principal, Z.A. Islamia College, Siwan, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar Singh
For the Respondent/s	:	Mr. Kumar Alok, (SC-7)
		Mr. Bindhyachal Rai
		Mr. Chandan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-02-2025 1. Heard learned counsel for the petitioner, learned AC to SC-7 and the learned counsel appearing on behalf of J.P University.

2. The learned counsel for the petitioner submits that the instant writ application has been filed for quashing the pay verification letter issued vide Receipt No. 1506220300002 issued by the Education (PVC) Department, whereby the pay verification cell of the Education Department reduced the pay scale of the



petitioner from Level-6 to Level-4 and from Rs. 70,000 to Rs. 46,100 on 1-7-2018.

3. The learned counsel for the petitioner next 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 an order dated 13-11-2024 in CWJC No. 16104 of 2024 (Suray Deo Paswan vs the State of Bihar & Ors.).

4. Learned counsel for 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 objections 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.

5. The learned counsel for the petitioner submits that what has been submitted by the learned State counsel cannot be countenanced, but then a specific pleading has been made at para



26 of the writ application that the pay verification certificate was issued without seeking any explanation from the petitioner. It is thus submitted that the decision to scale down the salary of the petitioner by the pay verification cell is unilateral and is in complete violation of the principles of natural justice and thus cannot be countenanced. It is next submitted that this Court in CWJC No. 16104 of 2024 (Suray Deo Paswan vs the State of Bihar & Ors.) had quashed the pay verification certificate and had remanded the matter back to the authority for considering it afresh, in accordance with law, by an order dated 13-11-2024.

6. After hearing the learned counsel for the parties, the writ application is allowed and the pay verification letter issued by receipt No. 1506220300002 is hereby quashed on the grounds that the same has been issued in complete violation of the principles of natural justice as held by this Court in CWJC No. 16104 of 2024 (Suray Deo Paswan vs the State of Bihar & Ors.) and the Director, Higher Education, Education Department, Government of Bihar, Patna is directed to proceed afresh in accordance with law.

7. It goes without saying that the petitioner would be entitled to the salary which he was getting prior to the issuance of the pay verification certificate until and unless a decision in accordance with law is not taken.

8. It is made clear that if the authorities come to a



conclusion that the pay verification certificate was issued after issuing show-cause/hearing to the petitioner, in that event, the present order shall not be given effect too.

(Satyavrat Verma, J)

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