

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.793 of 2025

Dr. Harendra Kumar Singh @ Harendra Kumar Singh Son of Late Ramakant Singh, Resident of Gaushala, Katihar, P.S. and District Katihar, Bihar, at present Incharge Principal, K.B. Jha College, Katihar, District- Katihar.

... .. Petitioner/s

Versus

1. Purnia University Purnia through its Registrar.
2. The Vice Chancellor, Purnia University, Purnia.
3. The Registrar, Purnia University, Purnia.
4. The Finance Officer, Purnia University, Purnia.
5. The Principal, K.B. Jha College Katihar, Katihar.
6. The B.N. Mandal University, Madhepura.
7. The Vice Chancellor, B.N. Mandal University, Madhepura.
8. The Registrar, B.N. Mandal University, Madhepura.
9. The Finance Officer, B.N. Mandal University, Madhepura.
10. The State of Bihar through the Principal Secretary, Human Resources Department, Government of Bihar, Patna.
11. The Director, Higher Education Department, Govt. of Bihar, Patna.
12. The Pay Verification Cell, Education Department, Govt. of Bihar, Patna through its Incharge Officer.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anand Kumar Singh, Advocate Mr. Dharmendra Kumar, Advocate
For the State	:	Mr. Kumar Pankaj, AC to SC-5
For the University	:	Mr. Rakesh Kumar Samrendra, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 23-01-2025

Heard Mr. Anand Kumar Singh, learned counsel appearing on behalf of the petitioner; Mr. Kumar Pankaj, learned AC to SC-5 appearing on behalf of the State and Mr. Rakesh Kumar Samrendra, learned counsel for the Purnia



University, Purnia.

2. The petitioner in paragraph no. 1 of the present writ petition has sought *inter alia* following relief(s), which is reproduced hereinafter:

"(i) For issuance of an order/direction or a writ in the nature of Mandamus commanding the Respondents concerned to grant arrears of salary from the date of promotion to the post of Reader from 30.04.1994 to May 2023 of Rs. 16287237/- (Rs. One Coror sixty two lakhs eighty seven thousand and two hundred thirty seven) only.

(ii) For directing the Respondent to pay the interest as per Bank rate.

(iii) For directing the Respondent concerned to pay the petitioner, the exemplary cost of Rs. 5 Lakhs as compensation for causing unnecessary harassment to the petitioner for dragging him to the instant unwarranted/unnecessary litigation.

(iv) For grant of any other relief(s) to which the petitioner may be found entitled to in the facts and circumstances of this case."

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is entitled for requisite pay scale for the post of Associate Professor / Reader in view of the decision taken by the B.N. Mandal University contained in Memo No. 550 dated 08.02.2005, as per the provision contained in Section 4(1)(14) of the Bihar Universities Act, 1976 but the same was granted to the petitioner with effect from 13.07.2023 (Annexure- P/8 series to the writ petition) though he was entitled for the same with effect from 30.04.1994 in light of the Notification contained in Memo No. 280 dated 21.07.2022, issued by the Registrar, Purnia University, Purnia. Based on the



said information, the Education Department, Government of Bihar, also issued Pay Verification Certificate on 11.07.2023 mentioning therein the entitlement of the petitioner with effect from 30.04.1994 as would appear from 'Annexure-P/8 series' to the writ petition but the petitioner, who is in service as on date, has not been paid till date. In this background, learned counsel submitted that non-payment of back dues with effect from 30.04.1994 till May, 2023, in view of the admitted position to the petitioner is an illegal act of the respondent authorities.

4. *Per contra*, learned counsel appearing on behalf of the Purnia University, Prunia, submitted that since the Government has disbursed the fund, the same will be paid to the petitioner forthwith.

5. Learned counsel appearing on behalf of the State submitted that from the bare perusal of 'Annexure-P/8 series' it is not apparent, as to whether, any detail was sent before the Pay Verification Cell of the Education Department for taking effective measures in this regard.

6. Heard the parties.

7. Having considered the rival submissions made on behalf of the parties, as well as, from the records available, it appears that it is admitted that the petitioner became entitled for



the pay scale applicable to the Associate Professor with effect from 30.04.1994 but the petitioner has not been paid the dues amount of pay with effect from 30.04.1994 till May, 2023.

8. The Additional Chief Secretary, Education Department, is directed to call the Registrar of the Purnia University, Purnia along with all the particulars relating to the petitioner and after verifying the same, must act forthwith as per the information contained in Pay Verification Certificate, duly issued in the case of the petitioner containing the detailed records of the petitioner mentioned in different columns, and request the Additional Chief Secretary, Finance Department, at least to disburse the fund what is required to be paid to the petitioner on the basis of the calculation so made.

9. The above exercise is directed to be done well within a period of six weeks from the date of production of a copy of this order.

10. With aforesaid observations/directions, the present writ petition stands disposed of.

(Purnendu Singh, J)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	24.01.2025
Transmission Date	N/A

