

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2902 of 2026

Dr. Gopal Kumar Son of Late Krishna Kumar Choudhary, R/o-Khiria, P.S.-
Korha, District-Katihar.

... .. Petitioner/s

Versus

1. The Purnea University, Purnea through its Registrar.
2. The Vice-Chancellor, Purnea University, Purnea.
3. The Registrar, Purnea University, Purnea.
4. The Finance Officer, Purnea University, Purnea.
5. The Principal, K.B. Jha College, Katihar.
6. The B.N. Mandal University, Madhepura through its Registrar.
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 Additional Chief Secretary, Education Department, Government of Bihar, New Secretariat, Vikas Bhawan, Patna.
11. The Director, Higher Education Department, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna.
12. The Pay Verification Cell, Education Department of Education, having its office in the Building of Bihar State Text Book Publishing Corporation, Buddh Marg, Patna, through its Authorized Officer.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha, Advocate Mr. Bishwash Vijeta, Advocate Mr. Avanindra Kumar Jha, Advocate Mr. Ram Nareshh Jha, Advocate
For the State		Ms. Binita Singh, SC 28
For the BNMU		Mr. Md Nadim Seraj, Advocate
For Purnia University		Mr. Suraj Deo Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 16-03-2026 Heard the learned counsel for the petitioner, the learned counsel appearing for Purnia University, the learned counsel appearing for B.N. Mandal University, and the learned counsel for the respondent-State.



2. The petitioner in the present writ application, has prayed grant of the following reliefs:-

“i. Issuance of an order, direction or a writ in the nature of Mandamus commanding the Respondents concerned to ensure the payment of petitioner's arrears of salary claim, amounting to Rs. 94,88,589.00 for the period in between 1998-99 to 2022-23, calculation wherefor has been prepared by the Accountant/Bursar/Principal of K.B.Jha College, Katihar on 27.02.2023, that too, without adding the due benefits of three (3) advance increments w.e.f. 01.09.2008, on account of petitioner's acquiring Ph.D. Degree during service tenure, to which the petitioner is entitled to, as per Annexure P/2 & P/3 to this writ petition.

ii. Issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to ensure the payment of Three (3) Advance Annual Increments to the petitioner w.e.f. 01.09.2008, on account of petitioner's having acquired Ph.D. Degree during his service tenure on 07.04.2006, as has been provided in the State Govt. Resolution as contained in Memo No. 908 dated 15.05.2018 read with the corrigendum issued by the Special Secretary, Education Department vide Letter No. 2839 dated 05.12.2019.



iii. Issuance of an order, direction or a writ in the nature of mandamus commanding the Respondent Purnea University, Purnea as well as the Respondent Pay Verification Cell, Education Department, Govt. of Bihar, Patna to act upon petitioner's pay point determined by the Principal of K.B.Jha College, Katihar dated 01.08.2022, whereby petitioner's pay as on 01.01.2016 has been determined at Rs. 1,71,400.00 only, which includes three advance annual increments w.e.f. 01.09.2008.

iv. Issuance of an order, direction or a writ in the nature of mandamus commanding the Respondent Purnea University, Purnea as well as the Respondent Pay Verification Cell, Education Department, Govt. of Bihar, Patna to ignore petitioner's pay point determined by the Respondent Purnea University dated 03.07.2023 and petitioner's pay point determined by the Respondent Pay Verification Cell, Education Department, Bihar as contained in Pay Verification Letter No. 1406221200001, whereby petitioner's pay as on 01.01.2016 has been determined at Rs. 1,56,900.00 only.

v. Issuance of an order, direction or a writ in the nature of Mandamus commanding the Respondents concerned to ensure the payment of interest over the said arrears of salary claim of the petitioner either @ 12% or @ 15% or @ 18% per annum, upon taking into account the



orders passed by the Hon'ble High Court, Patna as well as the Apex Court in the following cases :-

A. Order dt 11.10.2010 passed by this Hon'ble Court in CWJC No. 2924 of 2010 & analogous cases.

B. Order dt 13.07.2012 passed in LPA No. 32 of 2011

C. Order dated 31.01.2000 passed by the Apex Court in Civil Appeal No. 669 of 2000 (Vijay L. Mehrotra Vs State of U.P. & Others).”

3. During the course of argument, the learned counsel for the petitioner submits that for the period 1998-1999 to 18.03.2018, it is the responsibility and liability of the B.N. Mandal University to make the payment of arrears and for the period 19.03.2018 to 31.03.2023, it is the responsibility and liability of Purnia University to make payment of arrears. He, however, fairly submits that appropriate representations have not been filed by the petitioner before both the Universities and hence he prays that the present writ application be disposed of, granting liberty to the petitioner to file appropriate representations before both the Universities. He further makes a prayer that if such representations are filed by the petitioner, then the authorities concerned of both the Universities may be directed to dispose of the representations within a fixed time-



frame, after giving an opportunity of hearing to the petitioner .

4. The learned counsel appearing for B.N.Mandal University, Purnia University and the learned counsel for the respondent-State do not have any objection to the aforesaid submissions made by the learned counsel appearing for the petitioner.

5. Considering the limited nature of prayer being made by the learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to file appropriate representations before both the Universities within one month from today. If such representations are filed by the petitioner, the authorities concerned of both the Universities shall dispose of the same within a further period of three months, after giving an opportunity of hearing to the petitioner.

6. Needless to emphasize that the final order, which shall be passed by the appropriate authorities of both the Universities, shall be a reasoned and speaking order. It is further made clear that if the petitioner is found entitled to the reliefs, which the petitioner would be claiming through the representation, then the same should be extended to the petitioner by the authorities of both the Universities within a



further period of three months form the date of passing of the final order.

7. With the aforesaid observation/direction and liberty granted, the present writ application stands disposed of.

8. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

HR/-

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