

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8381 of 2025

1. Subodh Kumar Sudhanshu, Son of Kartik Das, Resident of care of Basant Das, Ward No.- 1, P.O.- Belhar, P.S.- Belhar, District- Banka, Pin Code- 813202.
2. Kumari Nutan Keshri, Daughter of Ugramohan Keshari, Resident of S.M.College Road, Near Maa Tara Lage, Shiri Ghat, P.O. and P.S.- Jagdishpur, District- Bhagalpur, Pin Code- 812001.
3. Kumar Prashant, Son of Rajendra Prasad Thakur, Resident of 46, College Road, Choudhary Colony, P.O. and P.S. and District- Sahebganj (Jharkhand), Pin Code- 816109.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. Director, Higher Education, Education Department, Bihar, Patna.
3. Authorised Officer, Pay Verification Cell, Education Department, Bihar, Patna.
4. Tilka Manjhi Bhagalpur University, Bhagalpur through its Registrar.
5. Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Shrivastava, Sr. Advocate Mr. Pushkar Bhardwaj, Advocate Md. Tauseef Waquar, Advocate Mr. Akshat Kumar, Advocate
For the State	:	Mr. Dharendra Kumar, AC to GP- 5
For the University	:	Mr. Ashhar Mustafa, Advocate Ms. Anita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 13-01-2026

Heard Mr. Abhinav Shrivastava, learned Senior Advocate with Mr. Pushkar Bhardwaj, learned Advocate for the petitioners and the learned Advocate for the University. The



State is represented by Mr. Dhurendra Kumar, learned Advocate.

2. The petitioners, presently posted and working against different non-teaching posts in the services of the Tilka Manjhi Bhagalpur University, Bhagalpur (hereinafter referred to as 'the University'), have preferred the present writ petition seeking quashing of the Pay Verification Letters (as contained in Annexure-12 Series to the writ petition) issued by the concerned authorities under the Pay Verification Cell of Education Department of the State Government whereby the salaries admissible in favour of the petitioners is said to have been wrongly fixed contrary to fixation of their salaries having been done by the Statutory Pay Fixation Committee of the University.

3. Learned Senior Advocate for the petitioners taking this Court through the various annexures appended to the writ petition has primarily contended that there is no confrontation that the petitioners were initially appointed and their services were confirmed on their respective posts vide Annexures-P/7 and P/10 of the writ petition. They have also been granted the revision of their respective pay scales and finally extended the benefit of M.A.C.P. At no point of time any objections have been raised, as all the benefits have been



bestowed by the order of the Statutory Pay Fixation Committee of the University. However, all of a sudden the impugned Pay Verification Letters came to be issued, the copies of which have been placed on record as Annexures- 12 Series, slashing down the pay scale and consequent salary of the petitioners.

4. While assailing the action of the concerned respondent authorities of the Pay Verification Cell, learned Senior Advocate for the petitioners vehemently contended that besides the impugned Pay Verification Letters are wholly arbitrary and without jurisdiction, the same has been issued unilaterally without giving notice or opportunity of hearing to the University as well as the aggrieved petitioners. The action of the respondents is also said to be in the teeth of the mandate of this Court rendered in C.W.J.C. No. 7636 of 2014 (***Dr. Kedar Nath Pandey & Ors. Vs. Magadh University, Bodhgaya & Ors.***), reported in, ***2015(1) PLJR 574***.

5. Taking this Court through the afore noted decision, especially paragraph nos. 16 and 17 thereof, it is submitted that the objection of the Pay Verification Cell cannot have the effect of annulling previous notifications issued by the University, unilaterally, nor can such objection have the effect of modifying the previous notification issued in favour of the



petitioners. Such objections will be treated as audit objections for which notices would be required to be given to the University concerned, which in turn will issue notice to the concerned affected teachers and employees, seeking their response and the University thereafter will revert to the Pay Verification Cell. The impugned Pay Verification Certificate issued by the State Government is said to have been passed in gross violation of the principles of natural justice because the decision so taken by the Pay Verification Cell has serious civil consequences for these petitioners.

6. Taking note of the mandate of this Court passed in the case of **Dr. Kedar Nath Pandey & Ors.** (supra) a coordinate Bench of this Court in the case of **Suray Deo Paswan Vs. The State of Bihar & Ors.** (C.W.J.C. No. 16104 of 2024) has also condemned such action of the State Government and observed that if by a decision some civil consequences follow in that event the aggrieved must be heard. Despite the specific direction of this court in earlier round of litigation as recorded in the case of **Dr. Kedar Nath Pandey & Ors.** (supra) the Pay Verification Cell cannot take a decision unilaterally with regard to scaling down of the pay scale of an employee of the University. Accordingly, the pay verification certificate issued



by the Pay Verification Cell were quashed and the matter was relegated to the State authorities for proceeding afresh in accordance with law.

7. Learned Senior Advocate for the petitioners thus contended that the case of the petitioners is squarely covered with the decisions referred hereinabove.

8. Learned Advocate for the State primarily confronted the submissions set forth by the learned Senior Advocate for the petitioners, however, referring to paragraph no.15 of the counter affidavit he further submits that the present writ petition may be disposed of with a direction to treat the entitlement slip issued in favour of the petitioners as objection of Pay Verification Cell and the University may be directed to make request for issuance of modified entitlement by meeting the objection in terms of order dated 15.01.2015 passed in C.W.J.C. No. 7636 of 2014.

9. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the decisions rendered in the case of **Dr. Kedar Nath Pandey & Ors. and Suray Deo Paswan** (supra) as well as the averments made in paragraph no. 15 of the counter affidavit and also the admitted position that at no point of time the petitioners



have been put to notice either by the authorities of Pay Verification Cell of State Government or the University, the impugned Pay Verification Letters, as contained in Annexures-12 Series are hereby set aside.

10. The writ petition accordingly stands allowed, however, with liberty to the concerned respondents to act in accordance with law and statute, keeping in mind the mandate of this Court.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.01.2026
Transmission Date	NA

