

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9536 of 2026

=====

Professor Baidyanath Prasad Sah S/o Late Hiralal Sah, present of resident of house No. 12 3rd main 4th cress Behind Shridhar Ashram, Vasantpura, Banglore- 61 at permanent residing in ward No. 12, Ram Krishna Harihar Thakurbari (Hathi Mandir), Kasba, P.S.- Kasba, District- Purnea, Bihar- 854330.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Vice Chancellor, L.N. Mithila University, Kameshwar Nagar, Darbhanga.
4. Registrar, L.N. Mithila University, Kameshwar Nagar, Darbhanga.
5. Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura- 852113.
6. Registrar, BN Mandal University, Lalu Nagar, Madhepura- 852113.
7. Principal/Professor-in-charge, Forbesganj College, Forbesganj, Madhepura.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar Shukla, Advocate
For the Respondent/s	:	Mr.Faiz Ahmed, AC to Government Pleader (14)
For the LMNU	:	Mr.Bindhyachal Rai, Advocate
For the BNMU	:	Mr.Md.Nadim Seraj, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2026 Heard Mr. Ravindra Kumar Shukla, learned counsel appearing on behalf of the petitioner, Mr. Faiz Ahmed, learned AC to Government Pleader (14) appearing on behalf of the State, Mr. Bindhyachal Rai, learned counsel appearing on behalf of L.N. Mithila University and Mr. Md. Nadim Seraj, learned counsel appearing on behalf of B.N. Mandal University.

2. The petitioner in paragraph no. 1 of the present writ



petition has sought *inter alia* the following relief(s), which is reproduced hereinafter:-

“i. For issuance of a writ in nature of mandamus, directing/commanding the concerned respondents to release arrears of promoted professor's scale with effect from 1992 as the petitioner has been denied benefit till date due to non fixation of pay by the verification contained in no144/19 dated memo 02/02/2019.

ii. For issuance of an appropriate writ/writs commanding/directing concerned respondents to pay appropriate statutory interest on the differential pensionary amount in the light of different orders/directions passed/delivered by this Hon'ble court as well as the apex court of the land.

iii. Any other writ/writs be issued, order/orders be passed direction/directions be given in the given facts and circumstances of this case which the writ petitioner may be found entitled.”

3. Learned counsel appearing on behalf of the petitioner submitted that although the petitioner was granted promotion to the post of Professor with effect from 16.08.1992, the consequential fixation of pay has not been carried out and, consequently, the differential salary and pensionary benefits have also not been released in favour of the petitioner.

4. Learned counsel appearing on behalf of the State submitted that the petitioner, with due diligence, has already furnished the requisite documents before the Pay Verification Cell, Education Department on 23.10.2024 and, therefore, the Pay Verification Cell of the State Government should not be held responsible for any delay in the matter.

5. A counter affidavit has been filed on behalf of



respondent nos. 3 and 4. Learned counsel appearing on behalf of L.N. Mithila University submitted that the petitioner was promoted to the rank of Professor with effect from 16.08.1992 while serving under B.N. Mandal University and, therefore, the consequential benefits are required to be processed by the concerned University.

6. Considering the aforesaid facts and circumstances, the Registrar, B.N. Mandal University, Madhepura is directed to ensure that the differential salary of the petitioner is calculated by taking into consideration the pay scale admissible to the post of Professor with effect from 16.08.1992. Thereafter, the last pay drawn of the petitioner shall be re-fixed on the basis of the aforesaid pay scale and consequential steps shall be taken for revision and fixation of the petitioner's pension in accordance with law.

7. In case any requisite information or documents are yet to be uploaded or furnished for processing the petitioner's claim, the Registrar shall ensure that the same is uploaded and transmitted to the concerned authority without any further delay so that the grievance of the petitioner is redressed expeditiously. The Registrar shall further ensure that the entire exercise is completed and all admissible dues, if found payable, are



released to the petitioner within a period of six weeks from the date of receipt/production of a copy of this order.

8. The petitioner shall also cooperate with the Registrar and furnish any document or information, if so advised.

9. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

Ashishsingh/-

U			
---	--	--	--

