

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10751 of 2026

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1. Amit Kumar S/o Late Rai Dhruvadeo Sharma, R/o Ward No.31, Shree Krishn Nagar, near Sapahi Devi Mandir, Motihari P.O- Motihari, P.S- Motihari Town, District- East Champaran, Bihar- 845401
 2. Ashutosh S/o Late Dhruv Narayan Singh, R/o Ward 4, Shankar Saraiya Babu Tola, near Mandir, P.O- Turkauliya, P.S- Turkauliya, District- East Champaran, Bihar- 845437

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Education Department, Bihar, Patna
4. B.R. Ambedkar Bihar University, Muzaffarpur through its Registrar
5. The Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur
6. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur
7. Authorized Officer, Pay Verification Cell of Education Department, Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shubham Shivansh, Adv Mr. Abhishek Kumar Adv
For the B.R.A.B.U.	:	Mr. Om Prakash Kumar, Adv.
For the State	:	Mr. Prashant Pratap, G.P.-2

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 27-07-2026 Heard the learned counsel for the petitioners, the learned counsel appearing on behalf of the University and the learned counsel for the State.

2. The present writ petition has been filed for the following reliefs:

“a. To issue an appropriate writ/order/ direction including writ of certiorari quashing the Pay



Verification Certificates issued issued vide receipt nos. 2507220600268 and 2607220600161 under the signature of the Authorized Officer, Pay Verification, Department of Education, Government of Bihar whereby and whereunder, the pay scale of the Petitioners has been reduced from Level-5 to Level-3 in the most illegal and arbitrary manner;

b. To issue an appropriate writ/order/direction including writ of mandamus commanding the concerned respondent authorities under B.R. Ambedkar University, Muzaffarpur to refrain from giving effect to the fixation of salary of petitioners, by which contrary to the earlier fixation of salary, the entitlement of the petitioners have been reduced in the most illegal and arbitrary manner.

c. To issue an appropriate writ/order/ direction staying the operation of the impugned Pay Verification Certificates during the pendency of this Writ Petition and further to direct that the Petitioners be continued to be paid salary in the pay scale of Rs. 4000-6000/-as was being paid to them prior to the impugned action.

d. To issue an appropriate writ/order/ direction commanding the Respondents not to interfere with the Pay Fixation done by the Statutory Pay Fixation Committee of the University and to restore the Pay Scale and Designation of the petitioner, which was fixed by the University,



since the same is in consonance with the directions given by the Hon'ble Supreme Court of India in the case of State of Bihar & Anr VS Sunny Prakash & Ors.

e. To issue an appropriate writ/order/ direction directing the concerned authorities under the University to refrain from making any recoveries from the admissible salaries in favour of the present petitioners during the pendency of the present case.

f. For holding that the action of the Authorised Officer, Pay Verification Cell, Department of Education, Government of Bihar, is beyond jurisdiction and in violation of the directions of the Hon'ble Supreme Court of India, Hon'ble Patna High Court and the Principles of natural justice;

g. To issue any other appropriate writ(s)/order(s)/direction(s) as Your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. The learned counsel appearing on behalf of the petitioners submits that without giving any opportunity to the petitioners, Pay Verification Cell of the State Government issued Pay Verification Certificates No. 2507220600268 and 2607220600161 respectively in favour of the petitioners, whereby the pay scale of the petitioners have been reduced from Level 5 to Level 3. He submits that prior to issuance of the said



Pay Verification Certificates, no notice whatsoever was given to the petitioners and the Pay Verification Cell of the State Government unilaterally reduced the pay fixation done by the Statutory Pay Fixation Committee of the University. He submits that on account of reduction of the pay scale of the petitioners their salaries have been reduced which is of civil consequences.

4. The learned counsel for the petitioners submits that this Hon'ble Court vide order dated 13.11.2024 passed in C.W.J.C. No. 16104 of 2024 (**Suray Deo Paswan v/s State of Bihar and Ors.**) has already settled the issue and allowed the writ petition by setting aside the Pay Verification Certificates issued by the Pay Verification Cell and directed the State authorities to proceed in accordance with law.

5. The learned counsel appearing on behalf of the respondents does not dispute the said factual position.

6. Having considered the rival submissions and after going through the records, it appears that the petitioners who are said to be working as Routine Clerk at Laxmi Narayan Dube College, Motihari, a Constituent unit of B.R.A. Bihar University, Muzaffarpur. Their pay fixation was done by the Statutory Pay Fixation Committee of the University and they were being paid their salaries accordingly. However, the Pay



Verification Cell of the State Government unilaterally fixed/reduced their pay in level 3 from level 5 and prior to issuance of the said Pay Verification Certificate, whereby their pay has been reduced, no notice whatsoever was given to the petitioners, which is in violation of the principles of natural justice.

7. A learned Co-ordinate Bench of this Hon'ble Court vide order dated 13.11.2024 passed in C.W.J.C. No. 16104 of 2024 (**Suray Deo Paswan v/s State of Bihar and Ors.**) while relying upon a judgment of Hon'ble Single Judge of this Court in C.W.J.C. No. 7636 of 2014 (**Dr. Kedar Nath Pandey & Ors. v/s State of Bihar & Ors.**) proceeded to quash the Pay Verification Certificate issued in favour of petitioner of C.W.J.C. No. 16104 of 2024 and remitted the matter back to the State authorities for proceeding afresh, in accordance with law.

8. Accordingly in view of the settled legal proposition, this Court has got no other option, but to set aside the Pay Verification Certificate No. 2507220600268 issued in favour of petitioner no. 1 namely, Amit Kumar and and Pay Verification Certificate No. 2607220600161 in favour of petitioner no. 2 namely, Ashutosh. The same are accordingly set aside. The matter is remitted back to the respondent authorities of the State



Government to proceed in accordance with law in terms of the direction given by this Hon'ble Court in C.W.J.C No. 7636 of 2014, i.e. the University authorities will issue notice to the petitioners, who in turn will file their respective reply. The University authorities will then proceed to fix the pay of the petitioners through the Statutory Pay Fixation Committee of the University, since it has already been settled that in pay fixation of the University employees, the Statutory Pay Fixation Committee of the University is the body competent and the Pay Verification Cell of the State Government can only raise audit objection, which can be looked into by the Statutory Pay Fixation Committee of the University. It goes without saying that the petitioners would be entitled for payment of salary, which they were getting prior to issuance of the Pay Verification Certificates no. 2507220600268 and 2607220600161 respectively.

9. With the aforementioned objections and directions , the writ petition is allowed.

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(Ritesh Kumar, J)

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