

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19484 of 2025

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Madhav Narayan Jha S/o- Late Prabodh Narayan Jha, Resident of Mohalla-
Navtoli (Mangrauni), P.S- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
3. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shankar Kumar Thakur, Advocate
For the Respondent/s	:	Mr. Madhaw Pd. Yadaw, GP-23
		Mr. Arvind Kumar, AC to GP-23
For the LNMU	:	Mr. Bindhyachal Rai, Advocate
		Mr. Apoorva Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and

learned counsel for the respondents.

2. The instant writ application has been filed for the
following reliefs:-

(i) For quashing the Pay Verification Certificate bearing Receipt No.2607220801494 dated 17.04.2023 (sent through speed post) issued by the authorized officer, Pay Verification Cell, Education Department, Government of Bihar addressed to the Registrar, Lalit Narayan Mithila University, Darbhanga (respondent no.4) whereby and whereunder the basic pay of the petitioner has unilaterally been fixed at Rs.41,000/- instead of



Rs.47,500/-

(ii) For directing the respondent no.4 to calculate and pay arrears of pension to the petitioner in the basic pay at Rs.48,900/- on the ground that the Statutory Pay Fixation Committee of the University has approved the basic pay of the petitioner at Rs.48,900/- but the university has fixed the pension of the petitioner in the basic pay at Rs.41,000/- in the light of Pay Verification Certificate issued by the Pay Verification Cell, Education Department, Government of Bihar without affording an opportunity of hearing.

(iii) For directing the respondent no.4 to calculate and pay the arrears of salary to the petitioner in the pay scale of Rs.2650-4000/- w.e.f. 01.01.1996 (monetary benefits w.e.f. 01.04.1997) under 5th Pay Revision as also to calculate and pay the arrears of salary in the replaced pay scale of Rs.4460-7640/- under 6th Pay Revision w.e.f. 01.01.2006 (monetary benefits w.e.f. 01.04.2007) with statutory interest at par with the State Government employee in the light of order of Hon'ble Apex Court in Sunny Prakash (2013) 1 PLJR 233 (SC) and accordingly revised the pay scale of the petitioner w.e.f. 01.01.2016 under 7th revised Pay Scale corresponding to the old pay scale of Rs.4460-7440/-.

3. Learned counsel for the petitioner submits that the pay fixation carried out in respect of the petitioner, whereby the basic pay was reduced from Rs. 47,500/- to Rs. 41,000/-, is not correct. It is further submitted that the fixation so made by issuing the Pay Verification Certificate bearing Receipt No. 2607220801494 dated 17.04.2023, through the authorized



officer, Pay Verification Cell, Education Department, Government of Bihar, addressed to the Registrar, Lalit Narayan Mithila University, Darbhanga, is contrary to the recommendations made under the respective pay revision allowed in the light of the direction rendered by the Hon'ble Apex Court in the case of ***State of Bihar & Anr. vs Sunny Prakash & Ors reported in (2013) 3 SCC 559.***

4. It is next submitted that even the benefits applicable to the petitioner, as per the recommendations made by the Statutory Pay Fixation Committee, whereby the University fixed the basic pay of the petitioner at Rs. 48,900/- for the month of May, 2024, have also not been carried out in view of the certificate issued by the Pay Revision Cell of the Education Department.

5. It is next submitted that the case of the petitioner is squarely covered by the ***Dr. Kedar Nath Pandey & Ors. vs. Magadh University*** reported in ***2015 (1) PLJR 574***, which has also been relied upon in the judgment/ order passed by the coordinate Bench of this Court in ***Suray Deo Paswan Vs. The State of Bihar & Ors.*** reported in ***2025 (1) PLJR 1***, and the certificate issued by the Pay Fixation Cell by taking a decision unilaterally and without putting this petitioner to show cause,



has already been set aside and the matter is remanded back to the State authorities for proceeding afresh in accordance with law, and in the case of this petitioner also, unilateral fixation in derogation of law settled, pay verification certificate dated 17.04.2023 has been issued.

6. On the other hand, learned counsel for the State as well as the University has no objection to the submissions made on behalf of the petitioner and submits that this matter may be remanded back to the authorities concerned in similar terms.

7. In view of the foregoing discussions, this Court finds it appropriate to set aside the Pay Verification Certificate bearing Receipt No. 2607220801494, dated 17.04.2023, issued by the authorized officer of the Pay Verification Cell, Education Department, Government of Bihar.

8. The Court further directs Respondent No. 4 to issue a show-cause notice to the petitioner, and after providing an opportunity of hearing to the petitioner, would proceed to fix the pay in accordance with law taking note of the pay scale recommended by the Statutory Pay Fixation Committee as well as keeping in view the pay scale allowed under the 5th and 6th pay revisions, which have been accepted by the State Government, relying upon the judgment rendered in *Sunny*



Prakash (supra), if found applicable in the case of the petitioner.

9. In the result, the instant writ application stands disposed of.

(Ajit Kumar, J)

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