

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2810 of 2020

=====

Ajay Kumar S/o Sri Sonelal Saha, Resident of Village and P.O.- Damgara,
P.S.- Dhamdaha, District- Purnea, at present residing in Mohalla- Rambagh,
Professors Colony, P.S.- Sadar, P.O. and District- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna.
3. The Director, Consolidation, Bihar, Patna.
4. The Joint Director, Consolidation, Rohtas at Sasaram.
5. The Deputy Director, Consolidation, Rohtas at Sasaram.
6. The Consolidation Officer, Chainpur, District- Kaimur.

... .. Respondent/s

=====

Appearance :

For the Petitioner : Mr. Suresh Prasad Sah @ Baranwal, Advocate
For the State : Mr. Sajid Salim Khan, SC-25

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 02-12-2023 Learned counsel for the petitioner and learned
counsel for the State are present.

2. Counsel for the petitioner has filed the present writ petition challenging the Memo No.1027 dated 20.11.2019 issued by the Joint Director, Consolidation, Purnia, by which the appointment of the petitioner has been cancelled and his honorarium has been withheld. The further prayer has been made to pay the honorarium from March 2019 upto



29.11.2019 and also directed the respondents to reinstate the petitioner with effect from the date of his termination.

3. Counsel for the Respondents-State submits that the Government of Bihar, General Administration Department vide its notification No.18 dated 03.06.2019 has come with law, namely, Bihar Government Servant Grievance Redressal Rules, 2019 under which the special forum has been framed with a view to raise the grievances relating to service and service benefits of the employees of the State Governments. Counsel for the State further submits that in the light of the said rule, the petitioner ought to file a complaint before the competent authority as defined in 2(A) of the Service Grievance Redressal Officer.

4. As such, this writ petition is disposed of granting the petitioner to avail the aforesaid remedy under the Bihar Government Servant Grievance Redressal Rules, 2019. Since the order has been passed by the Joint Secretary, therefore, the representation with regard to service rule should always be filed before the authority higher than the Joint Secretary. Here in the present case the Director, Consolidation. An appeal shall be preferred before the Principal Secretary, Government of Revenue and Land Reforms, Government of Bihar, Patna.



5. With this observation, the present writ petition is disposed of.

(Dr. Anshuman, J)

Narendra/-

U			
---	--	--	--

