

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6382 of 2018

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Ramashray Paswan, Son of Nanhe Paswan @ Ram shok Paswan, Resident of
Village-Rupsagar Bigha, P.O.-Belidad, P.S.-Mehandia, District-Arwal

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of General Administration,
Government of Bihar, Patna.
3. The Deputy Secretary, Department of General Administration, Government
of Bihar, Patna.
4. The Divisional Commercial Manager, Division, at Gaya.
5. The District Magistrate, Arwal at Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amarendra Kumar, Advocate
For the Respondent/s : Mr.Manish Kumar- GP4

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 07-10-2023

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for
quashing the order contained in Memo No.478 dated
24.09.2012 passed by respondent No.5, namely, the District
Magistrate, Arwal whereby the claim of the petitioner has been



rejected. Further prayer has been made seeking relief to regularize/appoint the petitioner to Class-IV post where he has worked on daily wages and his name appeared in the panel but the persons junior in the panel have been appointed and in this way, discrimination has been made with the petitioner.

4. Learned counsel for the State submits that in the year 2019, vide notification No. 7527 dated 03.06.2019, the Bihar Government Servant Grievance Redressal Rule, 2019 has been enacted. According to this, the designated officer in every Department and District will be responsible for passing orders/decisions on the complaints received regarding service matters and service benefits, after due hearings within the time limit, and will also communicate the information of the decision taken to the complainant. He further submits that in the district collectorates, the senior officers of the establishment section, who are officers of the additional collector level, will serve as the Service Grievance Redressal Officer whereas in departments, the officers of the Deputy Secretary level will be designated as the Service Grievance Redressal Officers.

5. Learned counsel for the State further submits that the procedure of filing a complaint has been mentioned in Rule 3; the methodology of hearing of complaint in Rule 5; the



procedure of disposal of complaint in Rule 7 and the provision of appeal has been mentioned in Rule 8.

6. In view of the aforesaid, this Court is of the opinion that the Bihar General Administrative Department has already framed the aforesaid Rule of 2019 in which complaints refer to all matters relating to the service and service benefits of serving and retired personnel of State Government has to be taken care, namely, (1) related to appointment (2) Service confirmation related (3) related to salary payment and increment (4) Promotion, A.C.P., M.A.C.P. related (5) priority/preference assessment related (6) related to the approval of leaves other than casual leave (7) related to salary during leave (8) related to approval and payment of allowances (9) Medical reimbursements (10) related to payment of retirement benefits such as pension, gratuity, group insurance, encashment of the unavailed leaves and payment of General Provident Fund.

5. In this background, the present writ petition is disposed of granting liberty to the petitioner to avail remedy under the Rule of 2019 within four weeks from the date of publication of the order, and the concerned authority is directed to pass a reasoned and speaking order within three months thereafter.



6. With the above observation and direction, the present petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	11/10/2023
Transmission Date	NA

