

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6317 of 2018

Pran Mohan Singh, S/o Late Haldhar Singh, R/o Village - Dhourj, P.S. -
Belhar, District - Banka Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector-cum-Settlement Officer, Saharsa.
3. Assistant Settlement Officer Head Quarter, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jawahar Pd. Singh, Advocate

For the State : Mr.Sajid Salim Khan -SC25

Ms. Prakritita Sharma, AC to SC-25

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 by the
petitioner seeking direction to the respondent authorities to pay
the arrear of salary after the revision of the pay scale and the
benefit of A.C.P. as well as leave encashment to him with
applicable interest in accordance with law.

3. Learned counsel for the petitioner submits that the
petitioner was superannuated from the post of Assistant



Settlement Officer under the Revenue and Land Reforms Department, Government of Bihar in the year 2008 after completion of full tenure of service without any complaint or **break** during his service period, but upon retirement, neither arrears of salary after 7th pay revision nor the benefit of ACP as well as Leave encashment was paid to him.

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.

7. In this background, this writ petition is disposed of directing the petitioner to avail remedy before the appropriate authority under the Rule of 2019.

8. Needless to add upon filing the complaint under the said Rule of 2019, the authority concerned shall pass final



order on the complaint upon hearing the petitioner within six months thereafter.

9. 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

