

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2739 of 2020

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Shail Sinha Wife of Late Kishore Kumar, Resident of Mohalla- Parth Nagar,
Ghughali Tand, P.O.- Chand Chura, P.S.- Civil Line, District and Town- Gaya
(Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Govt. of Bihar.
4. The District Magistrate, Gaya.
5. The Block Development Officer, Imamganj, Gaya, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Ranjeet Tiwary, Advocate
For the State : Mr. Binod Kumar Sinha, AC to GP-7

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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 writ petition directing the Block Development Officer, Imamganj, Gaya to pay salary, grant of 1st ACP and 2nd MACP to the petitioner as her husband was in service.

3. Counsel for the State submits that the counter affidavit has been filed, in which it has been stated that for want of sanction the amount of salary could not be paid. The plea has also been taken that since the petitioner's husband was not completed thirty years service. Therefore, he was not entitled for



3rd MACP and 2nd MACP was already granted to him.

4. In this view of the matter, it transpires to this Court that the Government of Bihar, General Administrative Department vide its notification No.18 dated 03.06.2019, has framed a rule, namely, Bihar Government Servant Grievance Redressal Rules, 2019 including the matters relating to salary payment, promotion, ACP and MACP and related matters by virtue of filing a complaint before the competent authority within a fixed period of time.

5. In the light of the said rule, this writ petition is disposed of directing the petitioner to avail remedy under the Bihar Government Servant Grievance Redressal Rules, 2019 within four weeks from today before the competent authority.

(Dr. Anshuman, J)

Narendra/-

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