

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4154 of 2020

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1. Lalit Kumar Jha Son of Late Mahendra Jha Resident of Mohalla-Laxmi Sagar, Darbhanga, P.S. and District-Darbhanganga.
 2. Murari Mohan Jha Son of Late Ram Karan Jha, Resident of Village and P.O.-Sanjat, P.S. Bhagwanpur, District-Begusarai
 3. Anil Chandra Verma Son of Late Umesh Chandra Verma Resident of Village- Chitraguptnagar, Pokhara, P.S. and District-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The Secretary, Department of Agriculture, Government of Bihar, Patna.
4. The Administrator, Bihar State Agriculture Marketing Board (Scrapped), Pant Bhawan, Bailey Road, Patna.
5. The Additional Secretary, Bihar State Agriculture Marketing Board (Scrapped), Pant Bhawan, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.
For the Respondent/s : Mr.Dhurjati Kr. Prasad (GP14)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 15-03-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The present writ petition has been filed for setting aside the order contained in Memo No.107 /1297 dated 21.11.2019 passed by the Administrator and further prayer has been made to allow the petitioners admissible and earlier granted pay-scale.

3. Counsel for the State raised preliminary objection



and submits that in the year 2019, the Bihar Government Servant Grievance Redressal Rules, 2019 (hereinafter referred to as 'the Rule of 2019') has been framed and petitioners have already remedy available under the said rule before the next higher authority who is the respondent No.3.

4. Counsel for the petitioners in response thereof submits that they have no objection to move before the respondent No.3 challenging the same, but during pendency of the writ petition, an order has been passed contained in memo No.529 dated 26.05.2020 by which the order for recovery has been made, which the petitioners have attached to this writ petition by way of filing the supplementary affidavit. He submits that petitioners only need protection from the said memo No.529 dated 26.05.2020 till disposal of their grievances under the Rule of 2019.

5. Counsel for the State submits that petitioners shall be at liberty to seek relief of stay under the said Rule of 2019.

6. In the light of the submissions made by the parties, the present writ petition stands disposed off directing the petitioners to avail remedy before the respondent No.3 under the Rule of 2019 and till disposal of petitioners' grievance, the Memo No. No.529 dated 26.05.2020 shall not be operative, if it



has not be acted upon till date. However, petitioners shall filed representation within three weeks before the respondent No.3 and respondent No.3 shall pass a reasoned and speaking order within 90 days thereafter.

7. With the aforesaid direction, the present writ application is hereby disposed of.

(Dr. Anshuman, J.)

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