

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2049 of 2025**

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Jay Prakash Rai Son of Shiv Kumar Ray, Resident of Hospital Road Jaldhari Chowk, P.S.- Madhubani, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Agriculture Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Agriculture Department, Govt. of Bihar, Patna.
3. The Director, Agriculture Department, Govt. of Bihar, Patna.
4. The District Magistrate, Sitamarhi.
5. The District Agriculture Officer, Sitamarhi.
6. The Accountant General (A and E) Bihar, Patna.

... .. Respondent/s

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**Appearance :**

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|------------------------|---|---------------------------------|
| For the Petitioner/s   | : | Mr.Ratanakar Jha, Advocate      |
| For the State          | : | Mr. Shatabdi Sinha, AC to SC-21 |
| For Accountant General | : | Mr. Vivekanand Kumar, Advocate  |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      11-02-2025                      Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Accountant General, Bihar.

2. The petitioner has prayed for the following relief/s :-

"(i) For issuance of an appropriate writ, order, direction to grant benefit of 2nd ACP/MACP in favour of petitioner with effect from 09-08-2009 on which date the petitioner completed his satisfactory service for 20 years without any regular promotion.



(ii) For issuance of an appropriate writ, order, direction to the respondents to revise the pay scale of petitioner on the post of Block Agriculture Officer w.e.f. 9-8-2009 after granting 2nd ACP/MACP and to make payment of arrears of the salary for the period.

(iii) For issuance of an appropriate writ, order direction to revise pay scale of the petitioner in promoted post w.e.f. 21-12-2010 considering the pay scale of petitioner revised after granting 2nd ACP/MACP w.e.f 9-8-2009 and to make payment of their arrears till his retirement on 31-07-2012.

(iv) For issuance of an appropriate writ, order, direction to revise the pension of petitioner after fixation of last pay drawn on the basis of granting 2nd MACP/ACP in favour of petitioner w.e.f. 9-8-2009 and for payment of arrears of pension and current pension accordingly.

(v) For grant of any other relief or reliefs for which petitioner is found entitled such as benefit in gratuity, leave salary as their arrears."

3. It is jointly submitted by learned counsel for the State and learned counsel for the Accountant General that the Bihar Government Servant Grievance Redressal Rules, 2019 (hereinafter referred to as the 'Rules of 2019'), framed by the



General Administration Department, Government of Bihar, provide the methodology for addressing grievances of the petitioner. According to these rules, upon the filing of a complaint, the Service Grievance Redressal Officer is required to pass an order within a fixed time limit, after providing the complainant with a reasonable opportunity to be heard. The petitioner must first avail the remedy before the Service Grievance Redressal Officer to address the grievances raised in the present Writ Petition.

4. In this background, the Writ Petition stands disposed off directing the petitioner to avail remedy under the Rules of 2019 for the payment of his ACP/MACP. The Service Grievance Redressal Officer is directed to consider the case of the petitioner in accordance with Rules of 2019.

**(Dr. Anshuman, J)**

Ashwini/-

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