

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11097 of 2016

=====

Kamdeo Prasad Yadav S/o late Chubhai Prasad Yadav Resident of Village-
Kathochatar, P.O. Lilatari, P.S. Rajour, District Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar, through Commissioner cum Secretary, Water Resources Department, Bihar, Patna.
2. The District Magistrate, Bhagalpur.
3. The Chief Engineer Water Resources Department Bhagalpur.
4. The Executive Engineer Ganga Pum Canal Division, Bateshwar Ashtan, Shivnarayanpur, District Bhagalp
5. The Sub-Divisional Officer Ganga Pum Canal Sub Division Shivnarayanpur, District Bhagalpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Awadhesh Kumar Mishra, Advocate
		Mr. Shashank Shekhar, Advocate
		Mrs. Prasati Singh, Advocate
For the State	:	Mr. Kumar Manglam, AC to SC- 24

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 15-07-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-

*“(i) For issuance of an
appropriate writ/ writs, order/ orders and
direction/ directions to the respondents to
give seniority to the petitioner from the date
of Joining of the petitioner as daily wages*



employee since 15.9. 1980

(ii) For further direction to the respondents to give all benefit including differences of salary with effect from date of joining of the petitioner as daily wages chowkidar.

(iii) For any other relief/ reliefs as your lordships may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the petitioner was initially appointed as a daily wage worker on 15.09.1980, and subsequently, his service was regularized on a Class-IV post. However, other benefits have not been granted to him. Therefore, the petitioner has filed the present writ petition.

4. Learned counsel for the State submits that during the pendency of the present writ petition, the State of Bihar has framed a rule, namely, the Bihar Government Servants Grievance Redressal Rules, 2019 [hereinafter referred to as the Rules of 2019].

5. It transpires to this Court that the grievances of the petitioner come within the definition of a *complaint* as contemplated under the Rules of 2019, which state as follows:—

“Complaint refers to all matters relating to the service and service benefits of



serving and retired personnel of State Government as - (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.

However, if any of the above related matter is under any Court's consideration then it will not be considered as a complaint under this system.

But further, matters relating to disciplinary & departmental action, and transfer/posting/deputation will not be included as complaints under this. Any case, under the Right to Information Act, 2005 will also not be considered as a complaint under this system.”

6. Since the Rules of 2019 have come into existence, the present writ petition stands disposed off with a direction to the petitioner to avail the remedy under the Rules of 2019



within 30 days from today. The authority concerned shall decide the grievances of the petitioner strictly within the time frame prescribed under the said Rules.

(Dr. Anshuman, J.)

Aman Kumar/-

U			
---	--	--	--

