

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6745 of 2017

1. Md. Motiur Rahman and Ors son of Late Sheikh Imadad Ali, resident of Village- Neyamatpur, Post Office- Sudhani, Police Station- Baruri, District- Katihar.
2. Mohammad Sasmuddin Alam, son of Late Sheikh Mushahab Ali, resident of Village- Patilwa, Post Office Barsauni, Police Station- Sadar, District- Purnea.
3. Mohammad Nezamuddin, son of Late Khurshid Alam, resident of Village- Basantpur, Post Office- Uthari Pokhara, Police Station- Sadar, District- Purnea.
4. Tabarak Hussain, son of Late Dilawar Hussain, resident of Village- Marballa, Post Office- Kamalpur, Police Station- Barhara Kothi, District- Purnea.
5. Bhimdeo Mandal, son of Late Ghoghain Mandal, resident of Village- Kariya, Post Office Puraini, Police Station- Srinagar, District- Madhepura.
6. Hare Ram Singh, son of Late Bindeshwari Singh, resident of Village Gazaila, Police Station and District- Madhepura.
7. Rubaida Khatoon, widow of Late Abdul Razak, resident of Village- Bishari, Police Station- Baisi, District- Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Accountant General, Birchand Patel Path, Patna.
3. The Principal Secretary, Water Resources Department, Government of Bihar, Sinchai Bhavan, Patna.
4. The Engineer-in-Chief, Water Resources Department, Government of Bihar, Sinchai Bhavan, Patna.
5. The Chief Engineer, Water Resources Department, Government of Bihar, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mahasweta Chatterjee, Advocate Mr. Samir Kumar Sinha, Advocate
For the State	:	Mr. Sumant Kumar Singh, AC to GA-2
For the AG	:	Mrs. Nivedita Nirvikar, Sr. Advocate Mrs. Asmita Bharti, Advocate Mr. Amarshakti, Advocate



CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 18-07-2025

Heard learned counsel for the petitioners, learned counsel for the State and learned senior counsel for the Accountant General.

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

(i) That an appropriate writ may be issued commanding upon the respondent authority to grant the petitioner the pay-scale of Rs.5,000-8,000/- after grant of second promotion under Assured Career Progression Scheme

(ii) That an appropriate writ may be issued commanding upon the respondent authority to pay the petitioner the arrears of salary from the date of grant of second promotion under Assured Career Progression Scheme till the date of their retirement after fixing their pay in the scale of Rs.5000-8000/-.

(iii) That an appropriate writ may be issued commanding upon the respondent authority to pay the petitioner the arrears of pension and other retirement benefits after re-fixing of the pension at the



rate to which the petitioners have become entitled from the date they have been granted second promotion under Assured Career Progression Scheme in the pay- scale of Rs.5,000/--8,000/-.

(iv) Any other relief or reliefs be granted to the petitioner as he is legally entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioners, after some argument, submits that the State of Bihar has framed a Rule, namely, the Bihar Government Servant Grievances Redressal Rules, 2019 (hereinafter referred to as the “Rules of 2019”), under which grievances relating to the grant of benefits in all matters concerning the service and service benefits of retired persons of the State Government are to be considered by way of filing a complaint before the Service Grievances Redressal Officer.

4. Counsel further submits that liberty may be granted to avail the remedy under the Rules of 2019.

5. Learned counsel for the State, however, submits that the said remedy is not available to the petitioners.

6. In light of the submissions made, the present writ petition stands disposed off, directing the petitioners to



avail the remedy under the Rules of 2019 within 30 days from today by filing a complaint. Upon such filing before the authority concerned / Service Grievances Redressal Officer, the said authority shall decide the grievances of the petitioners strictly within the time frame prescribed under the Rules of 2019.

(Dr. Anshuman, J.)

Aman Kumar/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	21.07.2025
Transmission Date	NA

