**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Civil Writ Jurisdiction Case No.2188 of 2023**

**CNR No. BRHC010118292023**

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Chandra Bhushan Singh Son of Sri Jagdev Singh, Resident of Village Badka Lauhar, P.S.- Barhara, District- Bhojpur.

... ... Petitioner/s

Versus

1. The State of Bihar through Director General of Biha, Patna.
2. The Inspector General of Police, Sahabad Range Dehri.
3. The Deputy Inspector General of Police, Bhojpur.
4. The Senior Superintendent of Police, Bhojpur.
5. The Accountant General of Bihar.

... ... Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Kumar Kaushik, Adv. |
| For the State | : | Mr. Suman Kumar Jha, (AC to AAG-3)<br>Mr. Pawan Kumar Sinha, Adv. |
| For the AG | : | Mr. Binod Kumar Labh, Adv.<br>Mr. Shyama Kant Singh, Adv. |

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

ORAL ORDER

7 27-10-2026 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Accountant General, Bihar.

2. The present writ petition has been filed for the following relief/s:-

> *"I. For issuance of an order, direction or a writ of Mandamus for directing the respondent authorities to grant 3rd ACP under the Modified Assured Career Progression (MACP) Scheme, 2010 with effect from completion of 30 years of service along with*

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*all consequential benefit including the arrears of difference of pay from the date of ACP to the date of retirement.*

*II. For issuance of an order, direction or a writ of Mandamus for directing the respondents to consequently revise the pension of the petitioner and grant the arrears of difference of pension from 01.03.2022 to the date of payment along with interest."*

3. Learned counsel for the State raised preliminary objection and submits that the Government of Bihar through General Administration Department has framed a rule namely Bihar Government Servant Grievance Redressal Rules, 2019 (hereinafter referred to as 'Rules of 2019') and the petitioner has liberty to avail his remedy with regard to his grievances by filing complaint before the concerned authority.

4. Upon perusal of the said Rules of 2019, it transpires to this Court that under Rule 2(c) of the Rules of 2019, the word 'complaint' has been defined, which reads as under:-

"*2(c) '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)*

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*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."*

4.1. And the procedure for filing a complaint has also been prescribed under Rule 3 of the Rules of 2019, which reads as under:-

*"3.* ***Procedure for filing a complaint-*** *Procedure for registering complaints related*

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*to service matters and retirement benefits will be as follows -*

*(a) Any employee of the Bihar State Government, serving or retired, of any group can file any complaint related to their service matters and/or retirement benefits, through online mode. In the event of death of a Government Personnel, complaint can be lodged by his/her dependent, The applicant will have to mention the details of the office / officer, his/her complaint is related to. Other relevant details will also have to be provided in the online application.*

*(b) In one application, complaint related to only one subject can be filed. Since no fee is required for registering a complaint, therefore, if a complainant wants relief in more than one subject then he/she has to register a separate application for it. In spite of this, if in the same application relief on more than one subject is being sought for, then in that case, the first issue mentioned in the complaint application will be considered as the complaint and further action will be taken on the same."*

5. In this view of the matter, it is hereby directed to

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the petitioner to avail his remedy by way of filing a complaint under the Rules of 2019 before the concerned authority, within 30 days from today. The concerned authority is directed to decide the matter strictly according to the time frame specified in the said Rules of 2019 itself.

6. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

**(Dr. Anshuman, J)**

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