

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3341 of 2026

Prabhaker Narain Singh son of Kailash Prasad, resident of- Ram Skal Yadav Colony, behind K.M.M. Hospital, P.S-Gardanibagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Road Construction Department, Govt. of Bihar, Patna.
2. The Deputy Secretary, Road Construction Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
4. The Joint Secretary, Road Construction Department, Government of Bihar, Patna.
5. The Finance Secretary, Finance Department, Government of Bihar, Patna.
6. The Accountants General (A and G) Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mazher Alam, Advocate
For the State	:	Mr. Arvind Ujjwal (SC-04)
For the AG	:	Mrs. Nivedita Nirvikar, Sr. Advocate
		Mr. Pravin Kumar, Advocate
		Mr. Amar Shakti, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-03-2026 Heard learned counsel for the petitioner, learned counsel for the State and learned Senior counsel for the Accountant General, Bihar, Patna.

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

“I. To issue a writ in the nature of Mandamus or any other appropriate writ/writs, order/orders or direction to the respondent authorities to consider the grant of Second



Assured Career Progression Scheme (A.C.P. Scheme) in the Pay Band + Grade Pay 15600-39100/- to corresponding grade pay as per the grade defined in the definition Rule-4 of Assured Career Progression Scheme (A.C.P) Rules-2003 notified by the Finance Department, Government of Bihar, to the petitioner.

II. To issue a writ in the nature of mandamus or any other appropriate writ, order or direction directing the respondent to pay arrears of pay and allowance with effect from 07.04.2010 along with interest at the rate of 18 percent per annum until the date of payment on the grant of MACP benefits;

III. To grant any other or further relief(s) as this Hon'ble Court may deem fit in the facts and circumstances of the case and in the interest of justice. ”

3. Learned counsel for the State raised a preliminary objection and submits that the Government of Bihar through General Administrative Department has framed a rule in the year 2019 namely, Bihar Government Servant Grievance Redressal Rules, 2019 and the petitioner has not filed any complaint under the said rule.

4. After hearing the parties, it transpires to this Court



that the Government of Bihar through General Administrative Department has framed a rule in the year 2019 namely, Bihar Government Servant Grievance Redressal Rules, 2019, under which the aggrieved person has to file a complaint. The word complaint has been defined in Rule 2(c) of the said rule of 2019. Admittedly, the case of the petitioner is covered under the definition of complaint.

5. In this view of the matter, the petitioner is hereby directed to file a complaint before the competent authority framed under the rule of 2019 and upon receiving his complaint under the said rule, the competent authority shall pass order within the time as specified in the said rule of 2019 itself.

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

(Dr. Anshuman, J)

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