

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6981 of 2026

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1. Ras Bihari Tiwari S/o Late Shreekant Tiwari, Resident of village Sultanpur Panchayat Pachchami Mor, Anchal and Thana Mokama, District Patna, presently at 901 Mangadh Colony, Road No. 7, P.O and District Gaya.
 2. Akhouri Ramkishore Narayan, S/o Late Akhouri Badrinarayan, Resident of Quarter No. LIG-41, Near New DPS School, Shahid Bhagat Singh Housing Colony, Post Rampur, District Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Law, Govt. of Bihar, Patna.
2. The Registrar General, High Court of Judicature at Patna.
3. The Principal District and Sessions Judge, (Administrative Head) Civil Court, Gaya.
4. The Drawing and Disbursing Officer, Civil Court, Gaya.
5. The Accountant General (A & E) Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amarendra Narayan, Advocate
For the Respondent/s	:	Mr. Abbas Haider, SC-6
		Ms. Anukriti Jaipuryar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 05-05-2026

Heard learned counsel for the petitioners, learned counsel for the State, learned counsel for respondent Nos.2 to 4 and learned counsel for respondent No.5.

2. The present writ petition has been filed by the petitioners with the following reliefs:

“I. Commanding respondents to revise and re-fix petitioners' salary and allowances in the revised pay scale of ACP



and MACP as per his entitlement from due date on attaining 12/ 24 years: 10, 20 & 30 years of service as required in Bihar State Employees Service Condition (assured Career Progression Scheme) Rules 2003 as also under the Bihar Government Servant (Modified Assured Career Progression Scheme) 2010, without requirement of passing of departmental examination as settled in the case of Kamlanand Thakur vs. The State of Bihar & Ors (2024) 4 BLJ 806.

II. Commanding respondents to revise and re-fix petitioners' salary and allowances in the revised pay Band and Grade Pay of ACP and MACP as under the guidelines of law department, Govt. of Bihar, contained in memo no. 4223/J dated 05.06.23 read with its corrigendum letter contained in memo no.5307/J dt. 17.07.23 revising scales /allowances of class 3 & 4 employees of the Civil Court on being entitled for 1st ACP, 2nd ACP/MACP and pay revision.

III. The petitioners pray for directions to the respondents to grant and pay consequential difference of salary and pension with other terminal benefits on re-fixing and revision of petitioner's salary and allowances in the revised pay scale of ACP/MACP and on pay revision fully



detailed and described in para -16 below.

IV. The petitioners also pray for directions to the respondents to pay all arrears of salary, pension and terminal benefits along with interest @ 12% within a time frame fixed by the Hon'ble Court."

3. Learned counsel for the petitioners submits that the petitioners are the retired employee of the Civil Court, Gaya, and for fulfillment of their grievances they have filed representation before respondent No.3, the Principal District and Sessions Judge, Civil Court, Gaya, but till date no decision has been taken by the said respondent. Thereafter, the petitioners have filed the present writ petition.

4. Learned counsel for the respondents submits that the petitioners have prayed for issuance of writ of mandamus and their representation is pending.

5. Learned counsel for the Patna High Court and learned counsel for the Accountant General supported the argument of the State.

6. In the aforesaid background, the writ petition is disposed of with a direction to respondent no. 3, the Principal District and Sessions Judge, Gaya, to consider the representation of the petitioners, as contained in Annexure-P/9, and pass a reasoned and speaking order within a period of 90 days from the



date of receipt/production of a copy of this order.

7. It is made clear that, if the petitioners wish to supplement their representation, they shall do so within 30 days from today. If respondent No.3 decides the matter in favour of the petitioners, then respondent No.5 shall assure the payment within three months thereafter.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.05.2026
Transmission Date	

