

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6625 of 2026

1. Asha Moses Daughter of Lt. Henry Moses, Resident of Magadh Colony, Kurji, P.O.- Sadakat Ashram, P.S.- Digha, Patna, Pin- 800013.
2. Samir Kumar Sinha, Son of Late Sachidanand Sinha, R/o House no. 3/7, Anandpuri, West Boring Canal Road, P.O. Patna GPO, P.S. S.K. Puri, Dist. - Patna, Bihar, Pin - 800001.
3. Pradeep Kumar, Son of Late Lakhan Rana, Resident of Vill.- Itkhori, Post and P.S. - Itkhori, Dist. - Chatra, Jharkhand- 825408. Presently residing at Q.No. 165/800, L.B.S. Nagar, Patna, P.S.- Shashtrinagar, Dist. - Patna, 800023.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Bihar Public Service Commission, through its Secretary, 15, Nehru Path (Bailey Road), Patna - 800001.
3. The Secretary, Bihar Public Service Commission, 15, Nehru Path (Bailey Road), Patna- 800001.
4. The Additional Chief Secretary, General Administration Department, Government of Bihar, Patna.
5. The Secretary, (Expenditure), Finance Department, Government of Bihar, Patna.
6. The Principal Secretary, Finance Department, Government of Bihar, Patna.
7. The Accountant General, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Advocate Mr. Amarshakti, Advocate Mr. Arya Achint, Advocate
For the State	:	Mr. Subhash Chandra Mishra (AC to SC-16)
For the BPSC	:	Mr. Sanjay Pandey, Advocate Mr. Nishant Kumar Jha, Advocate Mr. Prabhakar Pahepuri, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2026 Heard learned Senior counsel for the petitioners, learned counsel for the State and learned counsel for the Bihar Public Service Commission (B.P.S.C.).

2. Learned Senior counsel for the petitioners submit that the present writ petition has been filed for issuance of an



appropriate writ(s), order(s) or direction(s) for grant of the following relief/s:-

“I. For issuing appropriate writ(s), order(s) or direction(s), to in the nature of mandamus commanding the respondents to revise and correct the dates of grant/approval of 1st ACP, 2nd ACP/MACP from the date of their joining.

II. For issuing appropriate writ(s), order(s) or direction(s) to the respondents to extend the benefits given to the petitioners of CWJC No. 11707/2012 (Chhathu Charan Singh and Ors. vs The Bihar Public Service Commission and Ors.)

III. For issuing appropriate writ(s), order(s) or direction(s) to the Respondent Bihar Public Service Commission to fix the pay of the petitioners after revising the date of their 1st and 2nd ACP/MACP.

IV. For directing the commission to pay the difference pay arrear and other consequential benefits of the petitioners, by reckoning their services from their respective dates of initial joining, and to grant all consequential financial and retiral benefits including arrears with interest.

V. For any other relief/reliefs deemed fit and appropriate by the Hon'ble Court.”

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') to deal such type of situations and petitioners have liberty to avail their remedy 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:-

“(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) 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 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 the petitioners to avail their remedy by way of filing a complaint under Rules of 2019 before the concerned authority, within 30 days from today. The concerned authority is directed to decide this matter 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)

Divyansh/-

U			
---	--	--	--

