

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8163 of 2025

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Kamini Kumari W/o Subodh Kumar Sinha, Residence of 22- Regency Garden
New Patliputra Colony, P.S- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Labour Resources Department, Government of Bihar, Patna.
2. The Labour Commissioner, Labour Resources Department, Government of Bihar, Patna.
3. The Joint Labour Commissioner, Labour Resources Department, Government of Bihar, Patna.
4. The Deputy Labour Commissioner, Gaya Division, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate
For the Respondent/s : Mr. Government Pleader (18)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-04-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the
present writ petition has been filed for the following reliefs:-

*“I. The respondents be directed to
exempt the petitioner from passing the
computer examination as per the
recommendation of respondent Deputy
Labour Commissioner vide letter no. 837 dt.
22.06.2021 and accordingly release the
annual increment of the petitioner.*

*II. The respondents be directed to
release the arrears on revision of pay after*



extending the benefits of annual increment and other consequential benefits including the pensionary benefits.

III. The petitioner be extended any other relief/ reliefs for which she found entitled.”

3. Learned counsel for the State, on the other hand, submits that the petitioner is not entitled to any relief.

4. It transpires to this Court that the State of Bihar has framed a Rule, namely, the Bihar Government Servants Grievance Redressal Rules, 2019 (hereinafter referred to as the Rules of 2019), in which Section 2(c)(3) provides that benefits related to salary payments and increments fall within the purview of a complaint. The definition of “complaint” as contemplated under the Rules of 2019 states as follows:-

“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.”

5. This Court, without entering into the merits or demerits of the case, directs the petitioner 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 grievance of the petitioner strictly within the time frame prescribed under the Rules of 2019.

(Dr. Anshuman, J.)

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