

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6921 of 2025

=====

Md. Shadab Alam Mohnavi S/o- Late Aftab Alam Mohanvi, R/o- Bhusatta,
Pulpar, PO and PS- Biharsharif, District- Nalanda, Bihar- 803101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The District Magistrate, Nalanda, Bihar.
4. The Block Development Officer, Bind, Nalanda, Bihar.
5. Rana Pradeep Kumar S/o- Late Vijay Kumar Singh, Presently Posted as Upper Division Clerk in District Legal Section, Nalanda Collectorate, Nalanda, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Ms. Ankita Roy, Advocate
For the State : Mr. Sanjay Kumar (AC to GP-17)

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

“I. For issuance of writ of Mandamus directing the respondent authorities to count the seniority of the present petitioner from the date of his initial recommendation for appointment by the District Compassionate Committee and place his name in the Gradation List of Lower Division Clerks over the seniority of the Respondent no.-5; on the



ground that the father of the Petitioner had died much before the father of the Respondent no.-5 and as per the date of recommendation, the Petitioner is senior to the private respondent;

II. For issuance of writ of Mandamus directing the respondent authorities to consider the case of the petitioner for promotion to the post of Upper Division Clerk from the date persons junior to the petitioner has been granted promotion.

III. For issuance of writ of Mandamus for directing the respondent authorities to decide the representation of the Petitioner, redressing the grievance of the Petitioner and accordingly, on the basis of Petitioner's seniority he shall be appointed as a Grade III level employee from the date of his initial appointment;

IV. For any other relief/relief(s) for which the petitioner is found entitled to in accordance with law and in the facts and in the circumstances of this case”.

3. Learned counsel for the State raised a preliminary objection and submits that this writ petition has been filed for demand of seniority/promotion for the petitioner. He further 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. Learned counsel for the petitioner in response thereof submits that the petitioner has filed several representations, but no decision has been taken. Therefore, the writ petition be disposed off directing the authorities concerned to take a decision on the petitioner's representation.

5. 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 covered under the definition of complaint.

6. 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. If, the



petitioner is still aggrieved, then he shall move further in accordance with the rule.

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

(Dr. Anshuman, J)

Divyansh/-

U			
---	--	--	--

