

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8443 of 2025

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Vijay Jha @ Bijay Jha S/o Late Tara Nand Jha, R/o Village- Salempur, P.S. Falka, District - Katihar, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna.
4. The District Magistrate, Katihar, Bihar.
5. The Block Development Officer, Kursela Block, Katihar, Bihar.
6. The Treasury Officer, Katihar, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Advocate
		Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s	:	Mr. Ramadhar Singh, GP-25

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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:-

“A) For issuance of a writ of mandamus or any other appropriate writ, order, or direction directing the respondents to pay the petitioner his deficit salary for the period of suspension from 19-09-1994 to February 2000.

B) For issuance of a writ of mandamus directing the respondents to



release the difference of salary based on the 4th, 5th, and 6th Pay Commissions.

C) For issuance of a writ of mandamus directing the respondents to pay the salary for the strike period of 2009 and house rent allowance from June 2011 to 2013.

D) For issuance of writ of mandamus directing the respondents to pay the petitioner interest on the delayed payments.

E) Any other relief(s) that this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the State submits that the demand which has been made in the present writ petition has not been supported by the supportive documents and it can be decided by the concerned authorities only.

4. It transpires to this Court that all the reliefs was either of 2009 or of 2011-2013. From the pleadings, it further transpires that the petitioner was working as Accounts Clerk (Najir) in Kursela Block, Katihar. It also transpires that the petitioner was already retired on 31.01.2017 but filed his representation for the first time after five years.

5. In response thereto, counsel for the petitioner submits that during pendency of the criminal case he has not



moved earlier and he moved only when he has exonerated in criminal case then for demand of his arrears.

6. 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 petitioner has liberty to avail his remedy by filing complaint before the concerned authority.

7. 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.”

7.1. 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.”

8. In this view of the matter, it is hereby directed to the petitioner to avail his 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.

9. Accordingly, with the aforesaid direction, this writ petition stands disposed of.

(Dr. Anshuman, J.)

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